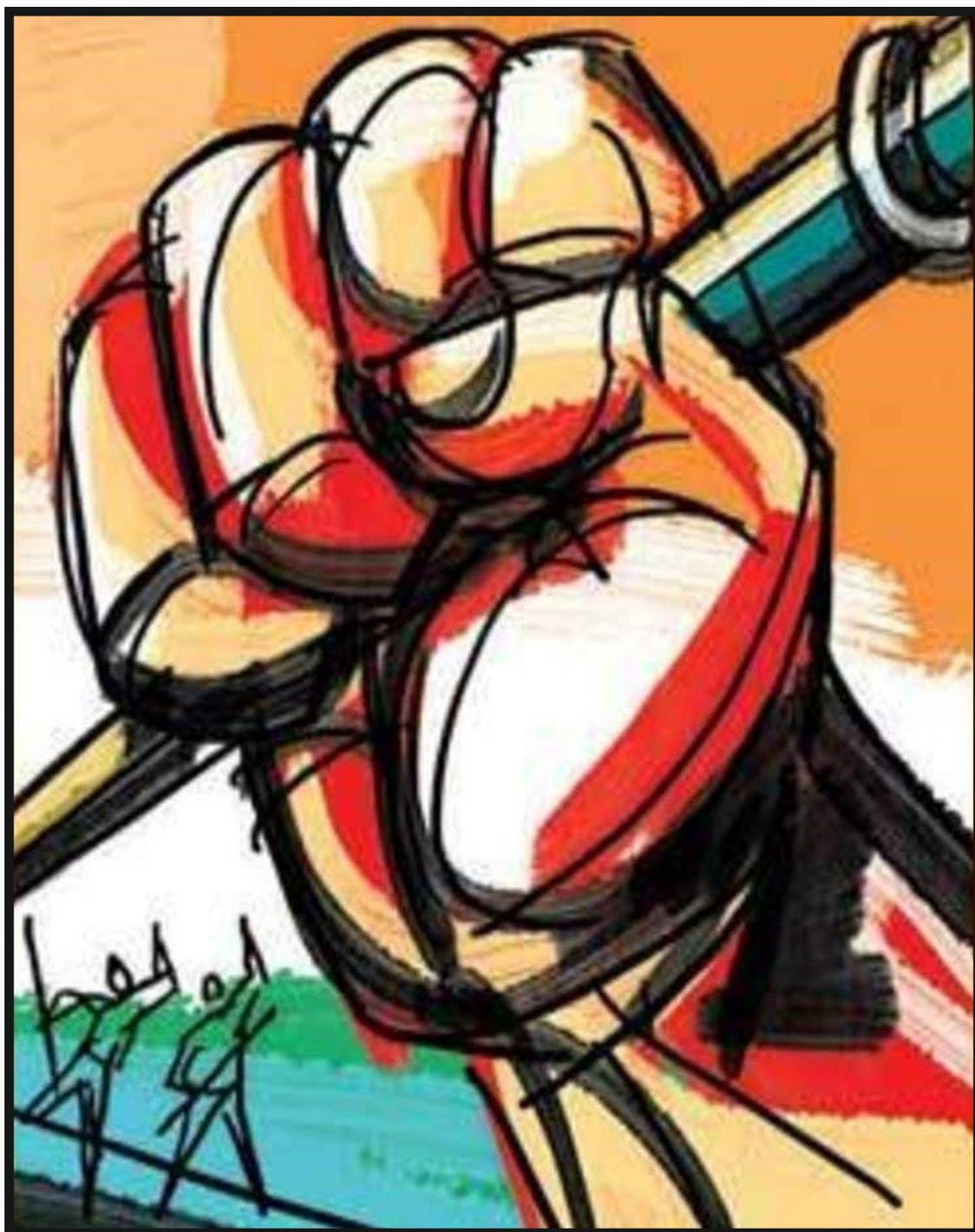


MARGINALISED BUT NOT DEFEATED



By **TARUN KANTI BOSE**

**AKHIL BHARATIYA MAZDOOR KISHAN SANGHARSH SAMITI
(ABMKSS)**

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MARGINALISED BUT NOT DEFEATED traces the historical trend facing communities dependent on natural resources and shows their progressive marginalisation and deprivation from the resources they depend upon. It tracks the historical struggles made by them and repression they have faced.

MARGINALISED BUT NOT DEFEATED is a study by the AKHIL
BHARATIYA KISAN SANGHARSH SAMITI (ABMKSS)

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Marginalised But Not Defeated

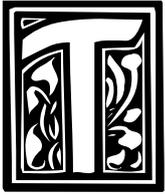
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Foreword



This study traces the historical trend facing communities dependent on natural resources and shows their progressive marginalisation and deprivation from the resources they depend upon. It tracks the historical struggles made by them and repression they have faced.

The study while providing an overview of development in the States of Maharashtra, Jharkhand and Chhattisgarh looks at the implications at the National level on tribals, pastoralists, fishers and farmers showing how they have joined the ranks of wage labourers.

The study also distinguishes between the Marxist approach to environment and natural resources and practise violating the laws of nature. The report intentionally does not go into the question of violation of nature's laws in Socialist regimes as to do so, goes much beyond the mandate of the report which was to provide a factual position on whither democratic movements in this country on the burning questions facing rural communities dependent on the natural resources.

Marginalised But Not Defeated is how the report places the status. Is it possible to have a unifying thread uniting these diverse movements? The working of Capitalism in general and finance capital in particular is behind this exploitation of the natural resources and marginalisation of the people. The experience of Socialist countries and the concrete practise of democracy by Communist parties in power in India however do not lead the people of this country to rally behind them. Is there however a hidden underlying thread we have not fully understood?

The report points to movements for assertion of people's links with nature. How this pans out in different ecological setups is not fully understood. The power and concerns of Finance Capital make it difficult for communities struggling for a living to stand concertedly behind nature despite many long and glorious struggles related to the same. The farmer's movement however is a reflection of how Capitalism is reneging on its own pact with the big farmers of the country and despite the long and spirited movement by these farmers opposing the latest moves of the government; Finance Capital is unable to work out any compromise.

It is the people who understand human kind's intricate dependence on nature and despite many limitations is responding to this understanding have time and again demonstrated that concerns for nature and concerns for people are very closely linked to each other. While Capitalism understands it too, the contradiction between man and nature is being used to prop up the law of maximum profit under Capitalism. Concerns for Nature are therefore being misused to deprive local communities of the means and wherewithal for survival. Can a different alliance between people and nature as reflected by the struggle of marginalised small farmers, tribals, fishers and pastoralists in collaboration with wage workers provide a new twist to what now appears to be a losing game ?

Viren Lobo

For and on behalf of Akhil Bharatiya Mazdoor Kisan Sangharsh Samiti

1

Khandesh Adivasis Further Pushed To Impoverisation

Dhule, Nandurbar and Jalgaon districts make up the Khandesh region of Maharashtra. Khandesh is bounded on the west by Gujarat in the east by the Vidarbha part of Maharashtra, in the south by Nasik district and the Marathwada part of Maharashtra¹ and in the north by Madhya Pradesh. The Tapi basin lies in the north-west of Dhule district now comprising Shahada and Talode talukas. It forms a distinct topographical unit, delimited from neighbouring state, Madhya Pradesh by Satpura range and from the south by Satmala hills range. An arc of Sahyadris or Western Ghats stretches in the easterly direction. Before 1 July 1998 Nandurbar was part of the larger Dhule district. Dhule was known as the West Khandesh whereas Jalgaon was known as the East Khandesh². Presently Dhule, Nandurbar and Jalgaon districts comprise of four, six and thirteen administrative blocks respectively.



Map of Khandesh Region

¹ <https://www.tandfonline.com/doi/abs/10.1080/14672715.1981.10409913>

² https://infogalactic.com/info/Nandurbar_district

Khandesh region lies just south of the great belt of mountains and forests that girdles India, and leads directly into the rich cotton tracts of north east Maharashtra. The strip of land between Akkalkuwa and Talode talukas of Nandurbar district and the Tapi River in the North connect Navapur and Nandurbar talukas of Nandurbar district and in the South form a part of Gujarat. In 1972, a large dam was built on the Tapi River at Ukai in Gujarat displacing hundreds of adivasis.

Tapi River flowing through Khandesh Region

Khandesh's principal natural feature is the Tapi River. Unlike the rest of the Deccan, whose rivers rise in the Western Ghats and flow eastward to the Bay of Bengal, the Tapi River flows westward from headwaters in southern Madhya Pradesh and empties into the Arabian Sea. The Tapi receives 13 principal tributaries in its course through Khandesh region. None of these rivers are navigable, the Tapi River flows in a deep bed which historically made it difficult to use for irrigation. Most of the Khandesh Region lies on south of the Tapi River and is drained by its tributaries, namely Girna, Bori and Panjhra. The alluvial plain north of the Tapi River contains some of the richest tracts in Khandesh, and the land rise towards the Satpura range³. In the centre and east, it's levelled as there are low ranges of barren hills. To the north and west, the plain rises into rugged hills, thickly wooded and inhabited by the Bhil adivasis.

The Tapi River passes through Khandesh region with black soil and fertile plains along its bank. It flows east-west across the district cutting Nandurbar district into two almost equal halves. It forms a basin from the beginning of Shahada taluka which broadens into a strip of extremely fertile plains of about 15 to 20 miles in width at its broadest. In the north of the Shahada and Talode talukas, the plains end with a steep rise of the Satpura range, which forms ridges of the rising mountains. Most of the part of Akkalkuwa taluka which bounds the Talode taluka on the west is taken up by the Satpura Range with a relatively narrow strip of the north-west basin included in its southern region. The Nandurbar district lies to the south of the Tapi River. Here the plains end with a slow rise and increasingly rocky soil that blend into the Sahyadri and Galna hills in the South-West. Navapur taluka which bounds Nandurbar district to the west lies entirely in this slowly rising part with a sparse forest covering a large part.

The Mumbai-Agra Road passes through the eastern part of Nandurbar district through Dhule and Shirpur and lies along one of the old trade routes of India.⁴ The

³ <https://amp.en.info-about.ru/30873543/1/khandesh.html>

⁴ <https://www.scribd.com/document/145065211/BCAS-v13n01>

Mumbai-Delhi railway route passes through Jalgaon district of Khandesh region. The Surat-Bhusaval railway line follows the south bank of the River Tapi throughout the region. Prakashe village, which lies at the confluence of the Tapi and the Gomai rivers in Shahada taluka, had been the most important nodal link in earlier days. Prakashe village through Shahada has a route which passes north through the Khetiye pass into the plains of Madhya Pradesh. The metalled road paved with broken rock passes through Akkalkuwa-Talode-Shahada-Shirpur following the north bank of the Tapi River on the Surat-Burhanpur highway.

Khandesh region as agro zone

Khandesh is predominantly an agricultural region and harbours fairly rich flora. The main crops grown are cereals, millets and pulses. Cotton, sugarcane, vegetables, edible fruit yielders and spices are grown. Few plant-based industries for oil, cotton (fibre), starch, sugar, pulses, timber, etc. had been running well in the region. Staple food is derived from sorghum (jowar), pearl millet (bajra), wheat, maize, rice and some pulses like black gram, horse gram, mung bean (green gram), pigeon pea (arhar dal) etc. Maize and rice are common crops where the adivasis have habitation. Sugarcane, banana and cotton are major cash crops in Khandesh. The region is fairly rich in its biodiversity, bio-resources and culture or ethnicity. The adivasis have to rely upon natural resources in their vicinity. They still inhabit in hilly forested areas and have symbiotic relationship with the nature.

Adivasis living in Khandesh region

The major adivasi community living in Khandesh region are Bhil, Bhil Garasia, Banjara, Pawra, Gamit, Gamta, Gavit, Kokna, Kokni, Kukna, Koli Dhor, Tokre Koli, Pardhi and Advichincher. Majority of the adivasis reside in hilly forest areas of Satpura mountain range and extended ranges of Sahyadris, which are offshoots of the Western Ghats⁵. Very few among the Bhils and Banjara have migrated and settled in the plains. Each tribe has its own language, customs, rites, ceremonies, rituals and beliefs. Dhule and Jalgaon districts have approximately 20% adivasi population each, whereas Nandurbar district has nearly 61% adivasi population

Bhils in Khandesh Region

Bhils, the largest among other indigenous adivasi groups in Khandesh region forming the major part of the population of the north-west basin and are believed to be a group of adivasis occupying the whole area of the Satpuda Range and its northern parts. The Bhil have been pressed southwards so that they occupy the large

⁵ https://www.researchgate.net/figure/Research-sites-in-Nandurbar-district-Maharashtra_fig1_279418309

forest belt starting from the Thane district in the west to the western parts of the Vindhya Mountains. Adivasis of the basin thus form simultaneously the fringe of this vast adivasi area and once a part of the larger Moghul Empire. Bhils tried to put up a brave front against the British colonial powers, confronting the agrarian hardships created by them. The British using its military power used 'suppression and persuasion' policy against the Bhils. But the British, failed to bring Bhils in their fold. According to folk linguistic perspective, the relatively numerically smaller Pawra adivasi assert their ethnic distinctness from the Bhil adivasis. Pawra claim their superiority over the Bhils in social practices, personal hygiene and aspirations in the resettled regions as it's equally acknowledged by the Bhils⁶. A close reading of the historical⁷ documentation of the tribes in the Satpura range at the borders of Maharashtra, Gujarat and Madhya Pradesh confirms that, despite the linguistic unity of the two tribes described by the umbrella term "Bhili" in most of the available records, the Pawras have asserted their ethnic distinctness for centuries (British Gazette of the Bombay Presidency 1882 re-published in 1980, Thompson 1895; Grierson 1907; Enthoven 1892, 2nd edition 1992)⁷

Gujjar migrants emerge as exploiters in Khandesh

During 1860s and after that, it's observed that there was specific mention of Gujjar migration to Khandesh. Gujjar played an important role in the shaping of the land relations of the North-West Tapi basin. The British Gazetteers and reports refer to them as Guzars, Guzar Kunbis, Guzar Vanis and as well as a branch of the Leva (Reve) Patils. Gujjars were all Kunbis by caste, must be clearly distinguished from the Reve Patils⁸ on the one hand and from the Marwaris and Vanis of Gujarat on the other. The British colonial rulers reduced the Gujjar to the caste of the Reve Patils⁹, which does not stand historical scrutiny. Despite certain similarities between them the Gujjar constitute a distinct community, which migrated to Khandesh region around the 14th century. Similarly, the Gujjars are also irreducible to the Marwaris and Vanis of Gujarat in spite of some money lending and usurious practices on their part. Their migration into the area is quite different from the slow pace of settlement of the adivasis. The adivasis looked upon land as the only source of sustenance, without the intention of extracting maximum gain from it¹⁰. But the Gujjar Kunbi population, who were cultivators and peasantry was their only livelihood with an eye for acquiring private property and extracting maximum gain from it. Adivasis settled on land for seeing it as only means of livelihood and sustenance but the

⁶ https://www.academia.edu/12721982/PROLEGOMENON_TO_THE_BHIL_AND_PAWRA_RELATIONS_IN_WEST_KHANDESH_IN_MAHARASHTRA_A_REASSESSMENT_OF_EVIDENCE_FOR_AN_EARLY_SUBSTRATUM

⁷ <https://www.tandfonline.com/doi/pdf/10.1080/14672715.1981.10409913>

⁸ <https://www.tandfonline.com/doi/pdf/10.1080/14672715.1981.10409913>

⁹ <https://www.tandfonline.com/doi/pdf/10.1080/14672715.1981.10409913>

¹⁰ <https://www.tandfonline.com/doi/pdf/10.1080/14672715.1981.10409913>

migrant Gujjar cultivators fenced in the largest available chunks of the most fertile land.

Before the 1850s the only problem noted by the Gazetteers is that of increasing tillage¹¹. It is only after the occupation of land by the migrant Gujjar population that the Gazetteers spoke of shortage of those hired for tilling the land. Taking advantage of the British law and the adivasis, who were magnanimous as they were not cheats or liars or committed any misdeeds or didn't have any intention of extracting benefits from their land, the migrant Gujjars pushed the adivasis to the condition of servitude and slavery through deceit, usury and forgery²². In Nandurbar district, which is in the North-Western part of Khandesh region, now majority of the landholders are Gujjars, emerging as exploiters who cheated the Bhil cultivators by helping them with small favour during their time of distress. Taking favour from the Gujjar landowners pushed them to more marginalization. The Bhil agricultural labourers have been further hoodwinked under the pretext of raising their wages. Now migrant Gujjars, who have become the employers of the Bhils, if there are disputes it gets transferred from magistrate to the civil courts. Till then, Bhil cultivators and the agricultural labourers are at the mercy of the Gujjar landowners. The migrant Gujjars, who became landowners, used the ignorance and gullibility of the Bhils for pushing them to drudgery. Tactfully, these Gujjar landowners agreed to employ the Bhil cultivators for tilling their land and they even asked them to share the produce, too. The Gujjars started the process of trapping them by giving advance money for purchasing bullocks but that too is given by getting a bond signed by the Bhil cultivators for repayment of loans on 25% interest rate. Bhil adivasis grow crops for production of food and the Gujjar had control over it. When their year ended, the Gujjar landowners took the entire produce and cheated the Bhil cultivators asking them the repayment money for the bullocks. In the next year, Gujjar landowners try to lure the ignorant Bhil cultivators by sending essential items, like clothes and food grains and were also informed that they have to repay some amount.

When the Bhil cultivators agreed to work for the Gujjar landowners then they asked for settlement of their accounts and an agreement in a new stamped paper. Gujjar landowners, who are the employers of the Bhil adivasi cultivators/sharecroppers, try to impress upon them by sugar-coated expressions and give the poor adivasis money to purchase clothes for their spouses and liquor for their consumption. The Gujjar employer got a new bond drafted, which the Bhil cultivator/sharecropper could not comprehend. The adivasi sharecropper gets back to the work hoping for a better future. Toiling hard in the Gujjar owned land for year or two, the Bhil cultivator/sharecropper decides to quit. Then what he found that whatever money he

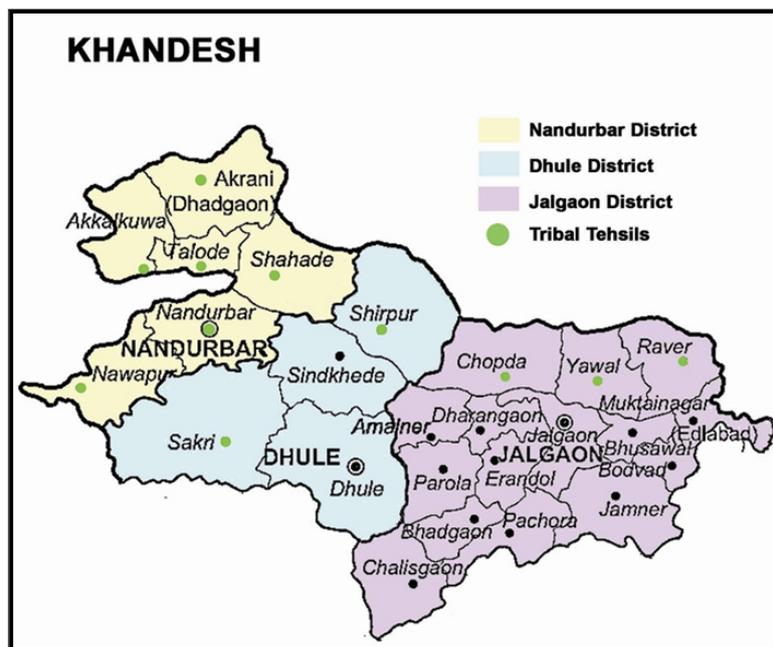
¹¹ <https://www.scribd.com/document/145065211/BCAS-v13n01>

¹² <https://www.tandfonline.com/doi/pdf/10.1080/14672715.1981.10409913>

repaid back for the bullock or toiled with it on the field does not belong to him and he is at the mercy of his employer. Gujjar landowners collude with the local authorities and get a decree passed so whatever the Bhils possess it's all seized and sold. Then the Gujjar landowners offered a chance, then again the Bhils were deceived. Still the Gujjar landowners try to fleece the Bhils by asking for outstanding debts and threat of civil court looms large over their head. It has been going for years together. It's quite common for the poor Bhils under pretence of the transfer of their debt, to be handed over from one creditor to another. The court's ruling against the Bhils by the Gujjar landowners pushes them to further marginalization. When the Bhils signed the bond they entered the name of the mother and as Bhil adivasi suffered anything rather than disgrace to their mother. The threat of the mother being sent to Dhulia Jail pushes them to desperation and they fall in the trap of the Gujjar landowners.

Migration of Adivasis from Khandesh Region

Sugar co-operative factories run in Gujarat hire the cutters in couples through an obscure but efficient network of labour brokers or mukadams, who thrive on seasonal distress¹³. These mukadams deployed by managing committees of the sugar co-operative factories scout the interior of the adivasi belt in the Khandesh region, which has been developed as 'labour catchment area' for them. A few thousand rupees, advanced in the monsoon, allow the adivasi families to subsist. This amount must be paid back through labour in the harvest season. Whole adivasi families, adults and children, then get pulled into the work¹⁴.



¹³ http://www.ccds.in/download/publication/agenda/agenda_09.pdf

¹⁴ <https://thewire.in/labour/kolhapur-migrant-labour-distress>

Every year when the monsoon begins its retreat from the villages of Khandesh arid Marathwada belt up to half-a-million of its rural poor, majority of them being adivasis and dalits, begins a desperate migration for work that ends in India's largest swathe of sugar country. The annual migration is over 45 years old and its routes are well established. The employers more than 200 sugar cooperative factories across the three-state swathe and employees' landless adivasis and dalits or subsistence farmers are also constant but sugarcane profits keep spiralling. The profits grow even as the migrant adivasi or workers remain impoverished.

Each winter, as the migration begins, large refugee camp-like colonies of the migrant adivasi workers from take shape outside sugar co-operative factory gates¹⁶. The colonies' inhabitants, majority of them migrant adivasi workers make do without running water or electricity. In such circumstances, women and girls of the adivasi families who migrate for work, face additional hardships. They have to collect water from a community source for the entire family, and they are forced to bathe in the open. In the darkness of the night, between 2 a.m. and 3 a.m., the adivasi couples of husband and wife who work as cutters, often accompanied by their older children, leave for the sugarcane fields, returning¹⁷ by the end of the afternoon to join a long line of cane-laden bullock carts at the factory gates, feeding an uninterrupted supply of cane that keeps the factories humming 24 hours and 7 days in a week.

During the day, the adivasi settlement's only inhabitants are the aged and little children. Smoke rise from the burning cow dung cakes that young girls, some of them less than 10 years old, cook on. Household work, including cleaning, cooking and taking care of any cattle, gets delegated to the girls. The ICDS (Integrated Child Development Services) does not take into account the needs of rural Indians on the move, and thus ignores the children in these colonies¹⁸. If compulsion arises, many a times, infants accompany their parents to work sites, devoid of child care centres or crèches, suffer health hazards due to pollution or dust. Apart from sugar cane cutting, adivasi men and their families are working in brick kilns, construction sites, agricultural farms or some among men employed as watchman. Cutting sugarcane, head loading of sands and bricks in construction sites, brick making etc. are tedious work and needs lot of energy.

As they migrate, families also lose other welfare entitlements like food grain under the public distribution system. Food must be procured from different sources. Over the sickly sweet stench of the molasses, women cook the coarse, low-quality jowar that the sugar factory gives them as part payment. There are no public health services that the migrant adivasi workers can access; the factories have a doctor to deal with injuries or fever – more to keep the cutters fit for work than concern for

¹⁶ <https://ruralindiaonline.org/en/articles/the-sugarcane-cutters-bitter-harvest/>

¹⁸ <https://www.lensculture.com/projects/278995-migrant-sugarcane-workers-of-i>

their health. The work is physically draining, and the workers have learned to live with body aches and ailments.

The state of the sugarcane cutters exemplifies the worst trends of India's poorly regulated informal sector, which employs over 300 million, or 90% of India's workforce.

However, a large chunk of the adivasi men accompanied by their families from Akkalkulva, Akrani, Shahada, Taloda, Navapur and Nandurbar talukas of Nandurbar district migrate to Gujarat. If not employed as cutter in sugarcane co-operative factories of Gujarat, adivasi couples and even older children work in brick kilns, construction sites, agricultural farms or some among men employed as watchman. Cutting sugarcane, head loading of sands and bricks in construction sites, brick making etc. are tedious work and needs lot of energy.

When the work comes to end at the construction sites, the migrant adivasi workers scout around to search work at other construction sites. In this process, these adivasi migrants and their families go without food for days together. The life of these migrant adivasi workers are full of worries and distress, to escape the hard pressed realities of life, both men and women start consuming country made liquor or hooch and they turn chronic alcoholic. This adds to their woes, use of excessive alcohol leads to developing chronic diseases and other serious ailments such as high blood pressure, heart disease, stroke, liver disease and digestive problems. Excessive drinking also caused breast cancer among women, even it causes mouth, throat, oesophagus, liver and colon cancer both in men and women. Alcoholic dependence results in loss of appetite combined with hard toil when they take less of result. Living in congested areas, in slums devoid of basic amenities, like pure drinking water, clean toilets or sanitation, these migrant adivasi workers and their families suffer from sickle cell anaemia, goitre, even children are malnourished. Many among the migrants fail to find a space in the slums so they live in the pavements under the open sky braving sweltering summer, heavy rains and freezing cold winter. There have been cases of elopement by women and girls jettisoning their families and running away with their 'beloved'. If marriage does not fructify after running away, many of these women or young girls commit suicide. Even there are cases of accidents deaths.

Migrant adivasi workers facing joblessness in COVID-19 pandemic

In Khandesh region's Nandurbar district, the district administration was shocked to see several trucks entering the district limits in April 2020. The trucks were packed with migrant adivasi workers, who went to Gujarat and Madhya Pradesh. It was sudden movement and the authorities were clueless. Till 28th April 2020, the district

administration said, close to 3,000 adivasi workers were pushed into the state limit—some in trucks and others by foot. Majority of the workers, belonging to Bhil and Pawra adivasi groups, have been working in the sugarcane cooperatives in Surat and Tapi and some as daily wage workers in several districts of Madhya Pradesh¹⁹. The official figures claimed that around 12,000-13,000 workers were stuck in Gujarat and Madhya Pradesh for over a month and could not return to Maharashtra because of the nationwide lockdown and also the strict Ministry of Home Affairs' (MHA) order that no interstate movement can be permitted²⁰. This, according to the district administration, is only 20% of the total migration. The MHA, on April 29, more than a month of strict restrictions on interstate movement, decided to relax its earlier orders and has now permitted migrant adivasi workers to return to their home state, provided there is a coherent synergy and plan in place between the states sending and receiving migrant workers. What happened in Nandurbar, however, was before the Central government's decision and the Maharashtra government says it an “inhuman and irresponsible act” by the Gujarat and MP governments²¹.

After the influx of migrant adivasi workers, since April 2020, the Nandurbar district administration had been manning its 22 checkpoints and over 180 villages on state borders to identify those who were suddenly sent into the state limits.

Since then, both Padavi and Nandurbar district collector Rajendra Bharud have sent letters to the Madhya Pradesh and Gujarat state administrations, seeking an explanation for their inhuman and irresponsible act of allowing so many adivasi workers to enter Maharashtra amid the national lockdown, without due consultation.

These adivasi workers worked at over 100 different sugarcane cooperatives situated in Gujarat and Madhya Pradesh and were forced to travel back to Maharashtra since the owners of those cooperative factories refused to take responsibility. Most of these sugarcane co-operative factories were owned by the local politicians. Most of the adivasi workers returned back to their villages without collecting their wages. They were not provided food or even an allowance to travel back home.

The local administration of the two states had issued permission letters even when the MHA had clearly stated that interstate movement is barred. While trucks and a few vehicles from Gujarat had permission from the local tehsildars, the Madhya Pradesh Government had issued a blanket permission allowing the movement on April 26, 2020. These permissions were illegal as the district administration had a clear standing instruction from the Central Government not to allow any such

¹⁹ <https://thewire.in/rights/inhuman-act-migrant-workers-sent-back-to-maharashtra-without-consultation>

²⁰ <https://thewire.in/rights/inhuman-act-migrant-workers-sent-back-to-maharashtra-without-consultation>

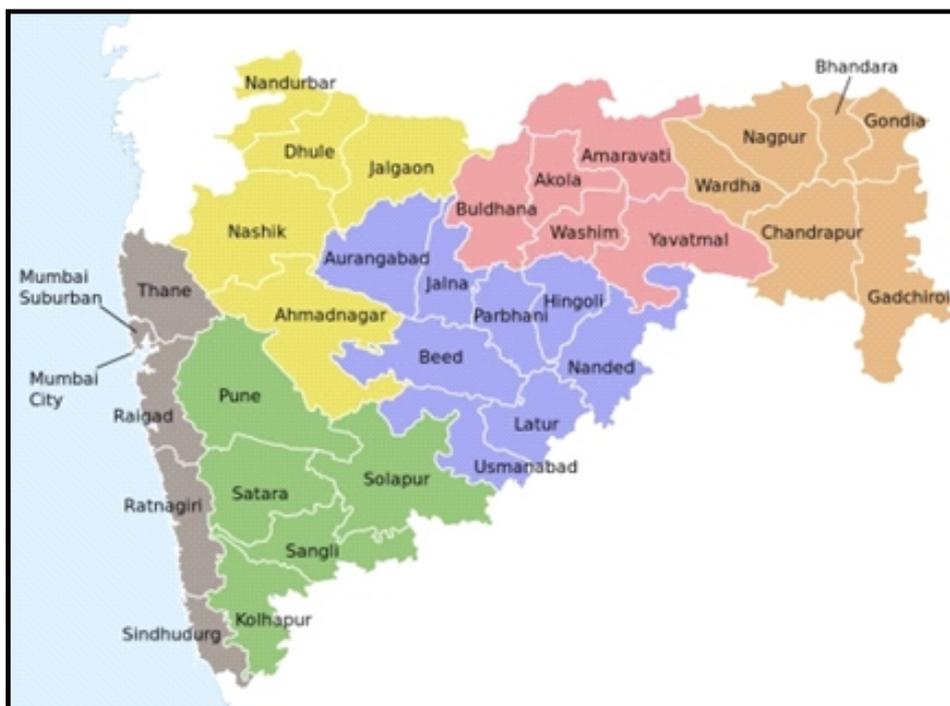
²¹ <https://thewire.in/rights/inhuman-act-migrant-workers-sent-back-to-maharashtra-without-consultation>

movement. It started on 31st March 2020 the Gujarat government showing its hostility towards Maharashtra state and its workers. Around 120 workers, women and children included had to undergo a gruesome ordeal after they were forcibly packed into an enclosed container truck and pushed into Maharashtra state limits. Valsad district administration of Gujarat was responsible for the incident and the workers were rescued on reaching Palghar district in Maharashtra. It had been continuing for many months during the pandemic.

2

Maharashtra's marginalized communities still at the crossroads...

Maharashtra is the most industrialised and the second most urbanised state assessed through the per capita income it ranks as second richest state in India. Spread over a total area of 3, 07,713 sq.km and in area wise it's the third largest state in India positioned after Madhya Pradesh and Rajasthan. Mumbai, its capital is considered the financial and commercial capital of the country. Situated in the western peninsular region of India, Maharashtra occupies substantial portion. State's population is estimated to be 123 million (12.3 crores) in 2020 and its second populous state in India after Uttar Pradesh, 9% of the India's population lives in Maharashtra. The state was carved out on 1 May 1960, along with Gujarat on linguistic basis. Bombay state, which had been expanded in 1956 to include Marathi-speaking parts of Hyderabad state and Madhya Pradesh. Gujarati-speaking areas to the north were separated and Gujarat, a new state was carved out of it.



Map of Maharashtra

Maharashtra borders Goa and Karnataka to the south, Andhra Pradesh to the southeast, Gujarat, Dadra and Nagar Haveli, and Madhya Pradesh to the north, Chhattisgarh to the east²² and the Arabian Sea to the west. The Western Ghats, which run north and south, parallel to the Arabian Sea coast, separate the western coastal portion of Maharashtra from the eastern portion of the state, which lies on the Deccan plateau.

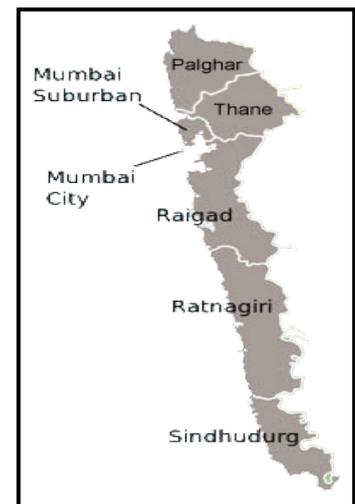
Geographical Regions:

Maharashtra has five geographic regions:

1. Konkan
2. Khandesh
3. Vidarbha
4. Marathwada
5. Pune

Konkan Region: Konkan region popularly known Aparantaor. Aparantaka meaning Western border is coastal plain of western India. It lies between the Arabian Sea in the west and the Western Ghats in the east. The plain stretches approximately 530 km from the Daman Ganga River north of Mumbai to the Terekhol River between Maharashtra and Goa states and Daman and Diu union territory²³ in the south. Between 45 and 76 km in width, the Konkan includes the regions of Thane, Greater Mumbai, Raigad, and Ratnagiri.

The region is criss-crossed by seasonal rivers that drain the heavy monsoonal rainfall from the peak of the Sahyadri Hills. The generally uneven terrain is composed of eroded remnant ranges of the Ghats that form low lateritic plateaus in the west and terminate in a coastline of alternating bays and headlands. Only about one-third of the land is cultivable, and the population lives mainly in the relatively fertile river valleys near the coast and in the newly developed industrial belts²⁴ around Mumbai, Thane, Khopali, and Panvel. The desolate and infertile hills are occupied by the pastoralists communities like Bhil, Kathkari, and Kokana adivasi people. Rice, pulses (legumes), vegetables, fruits and coconuts are the main crops along with that fishing and salt manufacture are important, too.



Map of Konkan Region

²² <https://www.maharashtratourism.net/geography.html>

²³ <https://www.britannica.com/place/Konkan>

²⁴ <https://www.britannica.com/place/Konkan>

The industrial complex of Greater Mumbai is the primary economic focus of the region. Nearly all trade is carried on with Mumbai, and steady migration to the city has left rural Konkan depleted of manpower and skilled workers. Mining of iron and manganese continues and it's exported through port of Reddi.

The Konkan ports were popular among the ancient Greeks and Egyptians, even to Arab traders. The ancient Hindu kingdoms ruling over the area drew its prosperity from the spice trade. The cave temples of Elephanta Island and Kanheri proves a claim to the fact to the prosperous culture of this era. With the advent of the Portuguese and British, the port cities were further developed and fortified but now have lost their former importance²⁵.

Khandesh Region: Khandesh is bounded on the west by Gujarat, in the east by the Vidarbha part of Maharashtra, in the south by Nasik district and the Marathwada part of Maharashtra²⁶ and in the north by Madhya Pradesh. The Tapi basin lies in the north-west of Dhule district now comprising Shahada and Talode Talukas



Map of Khandesh region

It forms a distinct topographical unit, delimited from neighbouring state, Madhya Pradesh by Satpura range and from the south by Satmala hillrange. An arc of Sahyadris or Western Ghats stretches in the easterly direction. Nandurbar was carved out of larger Dhule district on 1st July 1998. Dhule was known as the West Khandesh whereas Jalgaon was known as the East Khandesh²⁷. Presently Dhule, Nandurbar and Jalgaon districts comprise of four, six and thirteen administrative blocks respectively.

²⁵ [https://www.jstor.org/stable/214304?seq=THREE COLONIAL PORT CITIRIES IN INDIA](https://www.jstor.org/stable/214304?seq=THREE%20COLONIAL%20PORT%20CITIES%20IN%20INDIA)

²⁶ <https://en.wikipedia.org/wiki/Khandesh>

²⁷ <https://nandurbar.gov.in/district-profile-info/#:~:text=Dhule%20was%20known%20as%20the,of%20this%20region%20was%20Rasika.>

It lies just south of the great belt of mountains and forests that girdles India, and leads directly into the rich cotton tracts of north east Maharashtra. The strip of land between Akkalkuwa and Talode talukas of Nandurbar district and the Tapi River in the North connect Navapur and Nandurbar talukas of Nandurbar district and in the South form a part of Gujarat. In 1972, a large dam was built on the Tapi River at Ukai in Gujarat displacing hundreds of adivasis²⁸

The region is predominantly an agricultural region and harbours fairly rich flora. The main crops grown are cereals, millets and pulses. Cotton, sugarcane, vegetables, edible fruit yielders and spices are grown. Few plant-based industries for oil, cotton (fibre), starch, sugar, pulses, timber, etc. had been running well in the region. Staple food is derived from sorghum (jowar), pearl millet (bajra), wheat, maize, rice and some pulses like black gram, horse gram, mung bean (green gram), pigeon pea (arhar dal) etc. Maize and rice are common crops where the adivasis have habitation. Sugarcane, banana and cotton are major cash crops in Khandesh. The region is fairly rich in its biodiversity, bio-resources and culture or ethnicity. The adivasis have to rely upon natural resources in their vicinity. They still inhabit in hilly forested areas and have symbiotic relationship with the nature.

(Detailed study on Khandesh region is in Chapter 1)

Vidarbha Region: Vidarbha is the eastern region of Maharashtra and its cauldron of culture comprising of 11 districts namely, Amravati, Akola, Bhandara, Buldhana, Chandrapur, Gadchiroli, Gondia, Nagpur, Wardha, Washim and Yavatmal. The region occupies 31.6% of total area and holds 21.3% of total population of Maharashtra. It borders the state of Madhya Pradesh to north, Chhattisgarh to east, Andhra Pradesh to south and Marathwada and Khandesh regions of Maharashtra to west²⁹. Located in Central India, Vidarbha has its distinct rich cultural and historical backdrop, different from other parts of Maharashtra. Nagpur is the largest city in Vidarbha region, followed by Amravati, Akola, Gondia, Chandrapur and Yavatmal. Majority of Vidarbhians speak Varhadi, a dialect of Marathi.³⁰

Vidarbha is famous for growing oranges and cotton. The region holds two-thirds of state's mineral resources, three-fourths of Maharashtra's forest resources and net producer of electricity generation power. The region throughout the history has remained calmer as compared to rest of India during the communal disturbances engineered by the right reactionary forces. But the region is beleaguered by poverty and malnutrition. Vidarbha is economically backward as compared to other regions of the state.

²⁸ https://en.wikipedia.org/wiki/Ukai_Dam

²⁹ https://en.wikipedia.org/wiki/List_of_cities_in_Vidarbha

³⁰ <https://www.123helpme.com/topics/vidarbha>



Map of Vidarbha Region

In recent times, there have been calls for a separate state of Vidarbha, owing to continuous negligence by those at the helm of affairs in Maharashtra towards this region and the insensate and inept political leadership in Vidarbha, barring few. Maharashtra's farmers are living in most miserable condition as compared to the farming community in India. There have been 32,000 farmers' suicides in Maharashtra in a decade, of which 70% being in the 11 districts of Vidarbha region. Though rich in minerals, coal, forests and mountains, the region is economically backward and continuous dominance by the political bigwigs had pushing it to downslide. The region is culturally, politically and financially stands apart from rest of Maharashtra, the agitation for separate state takes a momentum, when the leaders from this region are side-lined by those saddled in power in Maharashtra Government.

Marathwada Region: The word 'Marathwada' has been used since the times of the Nizams. The region coincides with the Aurangabad Division of Maharashtra. It borders the states of Karnataka and Telangana, and it lies to the west of the Vidarbha and east of Khandesh regions of Maharashtra³¹. The largest city of Marathwada is Aurangabad. The region comprises of Jalna, Aurangabad, Parbhani, Hingoli, Nanded, Latur, Osmanabad and Beed districts of Maharashtra.

In the region lives 16.84% of Maharashtra's population and is home to nearly 30 % of state's Below Poverty Line (BPL) families. Eight of the districts of the Marathwada region figure in the list of the 100 poorest districts in the country.

The region, perhaps, the most neglected in the state, lacks in natural resources and is prone to drought. It has been perennially facing most severe droughts, with just 5.68 per cent live storage left in 964 dams and groundwater levels already depleting to the

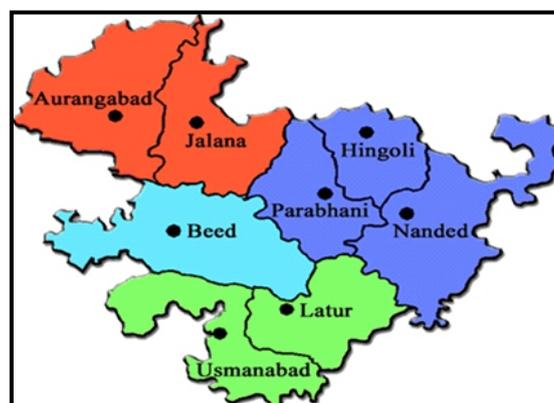
³¹ <http://www.ijellh.com/papers/2014/November/09-63-71-november-2014.pdf>

extent that bore-wells³² dug up to even 300-500 feet are not getting a drop of water. Nearly 32% of its 64,818 sq. km area of the region comes under the rain shadow region. The region's annual average rainfall is 750mm and drought is a permanent feature. Irrigation water, in real terms reaches not more than 50,000 acres of cultivable land³³. Water scarcity is so chronic in the region that to get supply of drinking water twice a week is a luxury. About 98% of agriculture is dry land farming and cotton is the major crop. Cotton cultivation in the region is a risky affair as there is inherent susceptibility of cotton crop to pest and the vagaries of nature, resulting in many a farmer falling prey to debt. Suicide among farmers is on the rise.

However, drought is not just about deficient rainfall, dry dams, tankers and crop failure. Adolescent girls and women walk miles in scorching heat to fetch drinking water for their families. As they spot some grimy water at the bottom of a well they rushed. Some of the girls had lost balance and fallen to death while fetching water. It's an endless ordeal for the girls and women of the region.

Girls scouting for water ruins their childhood as thousands of them spend their entire summer vacation in this backbreaking exercise. Backbreaking strife even for women who wander in search of water. Drought means a tough choice between life and death for farmers³⁴.

In the region cotton farming is done for about seven months in a year, otherwise the farmers are languishing in penury. When farming work comes to grinding halt, educated unemployment youth and school going children try to corner the manual jobs granted under Mahatma Gandhi Rural Employment Guarantee Act (MGNREGA) for five months in a year. But since 2014, after NDA came to power in the Central Government, there are intermittent delays in implementing the MGNREGA projects and 100-days of continuous work is now a distant. Long delays in payments had obfuscated the MGNREGA programme.



Map of Marathwada

³² <https://en.wikipedia.org/wiki/Marathwada>

³³ <https://www.thehindubusinessline.com/economy/agri-business/marathwada-nothing-escapes-tentacles-of-drought/article26772434.ece>

³⁴ <https://www.sascv.org/ijcs/renusharma.html>

In Marathwada region, it's common to see post graduates and those passed out from vocational training colleges toiling hard on road construction sites for eking out a living. As the joblessness haunts able-bodied men, especially youths, migrate to Gujarat or Western Maharashtra to work in the sugarcane co-operative factories as cutter. Living in most appalling condition, the cutters along with their families try to survive. When Indian Army or para-military forces run a drive to recruit youths as soldiers, it overflows with unemployed youths to undergo the recruitment exercise. Many among them fail, even after putting best of their efforts. Dejected, they face a hazy future and in recent Covid pandemic period, the situation has turned bad to worse.

The region has 14.96 % population of dalits and 4.01% population of adivasi. The right-wing forces have stealthily tried to disturb and sharpen the communal for garnering maximum political mileage out of it. Marathwada's 25% Muslim population have been at the receiving end

Marathwada is faced with an agricultural emergency. With 25-35 farmers committing suicide every week, the eight districts of Marathwada require immediate action for disaster mitigation. Some parts of Marathwada are reeling under continuous drought conditions for four years in a row, and with the plight of farmers worsening with each passing day, the prevailing rural distress in Marathwada is no less than an epic disaster -- a combination of both man-made and natural factors. It is therefore high time Maharashtra government swings into immediate action and wakes up from slumber for confronting the harsh realities of life. Immediate emergency relief measures are absolutely essential. This must be followed by laying down a long-term plan to revive sustainable agriculture in the both – Marathwada as well as the Vidarbha -- regions. An extraordinary crisis requires emergency solutions.

Continuous drought conditions, and also seasons of freak weather conditions when hailstorm and high winds damage standing crops further accentuates the prevailing agrarian crisis. Farmers are being denied their legitimate due, the minimum support price under the pretext of keeping inflation under check. While incomes of all sections of the society are on the rise, farm incomes are stagnating³⁵. By keeping the farm prices almost frozen over the years, farmers are in reality being penalized for producing food.

In the name of economic growth, agriculture is being systematically destroyed all over the country. Over the years, agriculture has been deliberately starved of financial support, and now with their land being snatched away, farmers are looking for any and every possibility that provides them a glimmer of hope. Farmers are

³⁵ <https://www.linkedin.com/pulse/why-younger-people-keen-take-up-farming-answer-simple-devinder-sharma>

increasingly turning to reservation on caste basis which provides them a little bit of hope, in desperation looking for anything that can provide economic security that they can latch on³⁶.

Pune Region: Pune region comprises of Kolhapur, Pune, Sangli, Satara, and Solapur districts. The region has distinctive geographic personality as territorially, the region has crest line of Sahyadri as its western boundary. The southern fringe runs along the interstate boundary between the Goa and Karnataka. Nasik and Ahmednagar districts delineate the northern area. The boundary of Solapur district separates the region from Marathwada. To the eastern side of the region lie Gulbarga district of Karnataka. In other words, the region is surrounded by Karnataka in the south, Konkan region in the west, Nasik district in the north and the north-eastern boundary is surrounded by Aurangabad³⁷.

Agriculture is mainstay of the economy. The agricultural landscape of the region is well marked by a significant increase in both, the area as well as the production. The diffusion of agricultural innovation has brought significant change in agricultural system of this region. In Pune region dominance of food crops is found in the western hilly area, central plateau, Bhima valley and south central region. Nearly 70 per cent of the total area is devoted to the cultivation. In the central dry plateau region jowar, bajra, groundnut and sugarcane are important crops. Bhīma and Krishna valleys are agriculturally most prosperous areas of the region. In the drought prone area of the region potatoes, onions and vegetables are the main cash crops. Sugarcane is the principal cash crop in Bhima and Krishna basins. In the region horticulture has been developed remarkably. Rice is the staple food crop of the western hilly zone. Cotton and tobacco are the main cash crops in the eastern part of the division.

Sugarcane is main commercial crop in the region. Other cash crops like grapes, tobacco, banana and onion are relatively recent. In the last thirty years there have been considerable changes in agricultural practices such as the development of irrigation, provision of better inputs like fertilizers, improved seeds and diffusion of agricultural innovations³⁸.

The role of lift irrigation is significant in Krishna basin particularly in Kolhapur and Sangli districts. The sugarcane cultivation depends on lift irrigation, while in Pune district sugarcane is grown on canal irrigation. Pune, Satara, Sangli, and Kolhapur districts show high level of irrigation.

Industries play an important role in the economic development of the region. It also

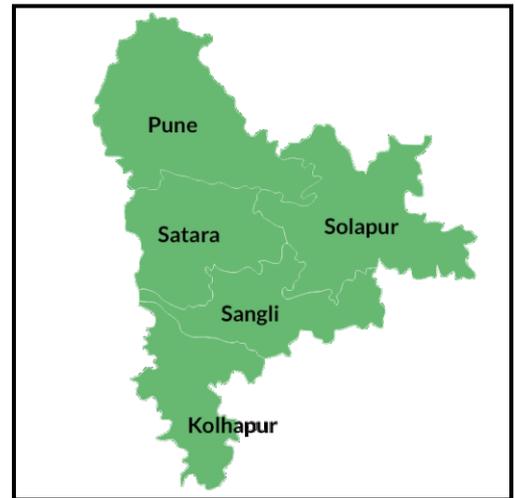
³⁶ https://books.google.co.in/books?id=IEH6DQAAQBAJ&redir_esc=y AGRICULTURAL TRANSFORMATION IN INDIA SINCE INDEPENDENCE

³⁷ <https://fddocuments.us/document/04-chapter-ii-information-and-library-network-2pdfchapter-ii-a-geographical-profile.html>

³⁸ <http://citeseerx.ist.psu.edu/viewdoc/download?jsessionid=2275D29490059FE146EE2C6F27AE990E?doi=10.1.1.691.7054>

stimulates the growth of trade, commerce and transportation. The overall impact of the development can also be seen in the development of agriculture of the region. The major industries and development of the region have confined in and around Pune, Satara, Sangli, Kolhapur and Solapur cities.

The most spectacular aspect of industrial landscape is distinct industrial belt centred in and on Pune city. Of the industrial nodes of the region follow the major transport routes. In the study region Pune urban centre is highly industrialized and urbanized area. The second industrial zone of the region lies between Sangli, Kolhapur and Ichalkaranji. In this area agro-based industries like sugar factories, manufacturing, casting and textile industries have been developed. The third industrial region is Solapur city region, which is famous for textile industry.



Map of Pune Region

In the Pune region, Solapur and Ichalkaranji are specialized for textile industries in Maharashtra as well as in India. The handloom and power-loom industries are located at Vita, Sangli, Kolhapur and Pune. The region has a very diversified composition of industries ranging from agricultural implements, food processing, textile to engineering, chemical, plastic, paper, automobile, transport equipment, electric goods etc. In and around Pune city major industrial units are located. The manufacturing goods include scooters, machine tools, automobile, metals, agricultural equipment, machinery, light engineering and electrical goods. The Maharashtra Industrial Development Corporation (MIDC) has developed a number of industrial areas and industrial estates with the establishment of entire infrastructure in all the districts, at tehsil level in the region.

Agrarian crisis and Farmers suicide

Recurring droughts, depleting groundwater levels and mounting debts have made farmers' lives in Marathwada and Vidarbha districts horrible, however, the floods in Western Maharashtra and parts of Konkan region in 2019 added more to the woes of the farmers.

Drought-affected Marathwada and Vidarbha regions, comprising of 19 districts, is a hotbed of farmers' suicides. Farmers have been ending their lives. Of 1,074 farmer suicides from January till June 2020, most cases were in June 2020 during the lockdown. The supply chain crippled, which resulted in a price crash in wholesale markets.

There had been 566 farmer suicides in Vidarbha region and 354 in Marathwada region. The lockdown was particularly hard on farmers sowing perishable crops like fruits and vegetables³⁹. Initially, transport restrictions had made it difficult for farmers to take their goods to major wholesale markets and many ended up discarding their produce.

Crisis has deepened over the years. Farmers often fall in the trap of private moneylenders resulting in debt trap. Crops have failing for years together. Despite efforts by successive governments, suicides had not come down, Governments have changed but the key issue remains, water, soil, credit and so on⁴⁰. Recurring droughts has brought down the soil quality and depleted the water table.

In 11 districts of Vidarbha region dependence is mostly on cotton, in 8 districts of Marathwada sugarcane is a big water guzzler. In drought-prone area, farmers cultivate a crop with a high water intake. Big political bigwigs are associated with sugarcane production in Maharashtra. Majority of big political families in Western Maharashtra and Marathwada are owners of sugarcane factories.

Neo-liberal globalization launched by the Central Government in 1990 has caused a massive growth in inequality in India. The agrarian crisis has gone far beyond the agrarian. It's a social crisis with people leaving agriculture and not getting absorbed anywhere else. Between 1991 and 2011, 1.5 crore farmers dropped out of agriculture, with most becoming landless farm labourers. Lakhs went to other villages and cities in search of jobs that are not there⁴¹.

Protests against agrarian crisis and farmers' suicide were brewing up. In March 2018, 40,000 farmers walked 182 kilometres from Nashik to Azad Maidan in Mumbai, demanding land rights, loan waivers and support for crop losses. As P.Sainath, founder-editor of the People's Archive of Rural India said, "When these farmers marched with bleeding, blistered feet Doctors from JJ Hospital came up and started treating all those with injuries from walking 182 kilometres. Businessmen came out of Crawford market and left 1,000 pairs of footwear, very quietly, without saying anything, because they had been moved by pictures and photographs of women with bleeding feet walking that distance. Lawyers came out and started asking if they could file any PILs on behalf of the farmers"⁴².

The protesting farmers demanded included farm loan waivers, remunerative prices for crops, implementation of the Swaminathan Commission's recommendations, stringent implementation of the Forest Rights Act (FRA), more pension schemes for poor peasants and agricultural workers, compensation to farmers for losses due to

³⁹ <https://timesofindia.indiatimes.com/city/mumbai/1074-farmers-ended-lives-in-maharashtra-in-6-months/articleshow/77404297.cms>

⁴⁰ <https://www.deccanherald.com/special-features/maharashtra-agri-crisis-no-end-in-sight-758851.html>

⁴¹ <https://www.outlookindia.com/website/story/agrarian-crisis-is-a-social-crisis-now-p-sainath/321306>

⁴² <https://www.frontierweekly.com/articles/vol-53/53-29/53-29-Agrarian%20Crisis%20Is%20a%20Social%20Crisis.html>

pest attacks, vesting tillers with the rights to temple and pasture lands, opposing acquisition of peasant land for elitist projects like the bullet train and super highways, issues with the public distribution system and a complete change in the river-linking scheme in Nashik, Thane and Palghar districts⁴³

Farmers protest in March 2018 was signalling the collapse in prices they received in the real world. The actual and comprehensive costs of cultivation were rising high but their incomes were in decline. The agrarian crisis is about the corporate hijack of Indian agriculture⁴⁴. Farmers were making the point that even their indebtedness as a consequence of the deliberate policies on credit followed by successive governments.

Farm women, women migrant farmers and farmers' suicide

Women have a strong presence in farming activities, however the main question is whether their work is being counted or not. Women's work ranges from seed management to harvesting and post harvesting activities. However, several changes are taking place. In Maharashtra for example, in some of the more prosperous areas where irrigation is available, we are finding that women are moving into dairying while their traditional role in seed management has reduced. The agricultural paradigm of high external inputs, chemical and pesticide intensive agriculture along with introduction of GM varieties of seeds and mechanisation have also meant that women have lost out on their traditional jobs

As Seema Kulkarni, a senior fellow at Society for Promoting Participative Ecosystem Management (SOPPECOM) and National Facilitation team member at Mahila Kisan Aadhar Manch (MAKAAM) said, “Women farmers are seen to be adapting to the new roles and we are also seeing women in managerial roles in some of these areas. As in grape, pomegranate cultivation and floriculture we are seeing women take on key roles of supervision of labour, spraying of chemicals and pesticides, entering into markets etc. Single women in drought prone areas are also seen negotiating in the market economy just as they are engaged in local weekly markets. These transitions need to be studied and MAKAAM hopes to do such a large scale study in the near future.”

Three datasets, which give us a somewhat mixed picture of rural women's work as Census 2011 shows that there has been a 24 percent increase in the number of female agricultural labourers, from 49.5 million in 2001 to 61.6 million in 2011. However, the decadal comparison of the Census data shows a fall in the category of women as cultivators, indicative of a loss of access to cultivable agricultural lands.

⁴³ <https://kisansabha.org/aiks/aiks-in-news/let-the-farmers-stand-in-parliament-and-address-the-nation-p-sainath-on-the-kisan-mukti-march-to-delhi/#:~:text=Lawyers%20came%20out%20and%20started,on%20behalf%20of%20the%20farmers>

⁴⁴ <https://ruralindiaonline.org/en/library/resource/the-kisan-long-march-in-maharashtra/>

Census 2011 for India shows that out of total females counted as Workers, 65.1 percent are engaged in agriculture.

The second data set is the Agricultural Census, which is less reliable when it comes to counting land ownership. The latest Agricultural census (2015-2016) cites that “the percentage share of female operational holders has increased from 12.79 per cent in 2010-11 to 13.87 per cent in 2015-16”. In terms of operated area, the share of women increased from 10.36 percent to 11.57 percent.”

Moving to the NSSO data sets, we see that in the age group (25-59), rural women's work to population ratios (WPR) fell from 58 percent to 48 percent between 2004-5 and 2011-12, and to 32 percent in 2017-18. Among rural women, the largest decline seems to have taken place in women categorised as unpaid family helpers — from 28 percent in 2004-5 to 12 per cent in 2017-18. In contrast, women counted as focusing solely on domestic duties increased from 21 per cent to 45 percent.

Delineating on Maharashtra, Seema Kulkarni said, “In Maharashtra women form 40 percent of the cultivators and 50 percent of the agricultural labourers as per Census 2011. Census also shows that of all the men workers 23 percent are cultivators and 30 percent are agricultural labourers. However, percentage of women involved as cultivators and agricultural labourers is slightly higher than men – 30 percent and 40 percent respectively. All of these data sets point to the fact that women's paid labour in agriculture is declining but their presence is perhaps increasing. This may vary from region to region and needs to be backed by large scale studies at the primary level.”

All of these data sets point to the fact that women's paid labour in agriculture is declining but their presence is perhaps increasing. This may vary from region to region and needs to be backed by large scale studies at the primary level.

Further, Seema Kulkarni pointed out, “One of the main issues is that rural women are not recognised as workers and as farmers despite their presence in agriculture. In rural India, ownership to cultivable land and access to irrigated land determines economic and social wellbeing. Women's lack of ownership to land has critical implications on their wellbeing as their access to land, water, forests, livestock and other resources and is largely mediated through men and the State. Land ownership is considered as an important criterion for the design and delivery of a range of schemes in agriculture and irrigation thereby excluding women across social groups from a sector where their presence is the highest. Implications are seen by way of lack of budgets for rural women farmers and workers, specially targeted schemes or programmes for example, lack of access to Pradhan Mantri Kisan Sanman scheme is one such example.”

At the ground level thus, we see women managing fallow lands while men are forced to out-migrate in search of work, managing the farms with no water or credit for farm inputs and facing the brunt of both the agrarian crisis as well as that of caste and patriarchy. Most of women's work continues to be unpaid, which is rising over the years. Among cane cutters, non-contractual obligations of patronage force women and children to work outside of the wage relation. Advances given compel women and children to put in the extra hours of work to meet the demands of the employer.

“In the water stressed district of Ahmednagar, Maharashtra there were several instances where the employers commanded the right to use family labour for their own work, simply because they were providing water to the labourers. The deepening of the agrarian crisis has also meant that women are spending more time on the fields to save on expenses for hiring labour. In villages in Marathwada, the traditional systems of shared labour or Savad appear to be on the rise. In this system, women work on each other's farms to save on expenditures related to hiring of labour. This has implications on the landless probably having reduced opportunities for employment in their own villages and are forced to migrate seasonally or permanently,” added Kulkarni

Maharashtra which accounts for the largest number of farm suicides has a large number of women farmers who are widows. Denied any rights over resources and with the stigma and financial liabilities that they have to deal with, their plight is even worse.

“We do have numerous stories from the field that demonstrate the agency of women to rise under these harsh conditions. They are organising, fighting for land rights and for entitlements from government and are rebuilding their own lives. Many are also hoping to make a transition to low external input or organic farming. The plight of sugarcane cutters is a matter of concern and we are working on the issue. A large-scale survey of about a 1000 women cane cutters shows the abysmal health conditions of these women and increasing gynaecological morbidity. Poor access to public health services at the work site and poor living conditions are a matter of much concern. The Beed hysterectomies issue highlighted the poor health and the exploitative conditions under which women cane cutters work. The story may be similar to many other migrant women workers as well. Most of these women would prefer to work in their own villages if work was available. Whether it is public health, Public Distribution Scheme or the Mahatma Gandhi National Rural Guarantee Act (MGNREGA) the plight of rural women across social and economic groups points to a failure of public policies and programmes,” said scholar activist Seema Kulkarni

“The less discussed issue however is the violence meted out against rural women at work sites and in public spaces in general. The everyday violence meted out to migrant women, agricultural labourers is less documented and made visible. Women narrate numerous stories of how direct and indirect forms of violence are meted out to them when they try and access government schemes such as that of minimum support price. Migrant women in cane cutting, brick kilns, women from dalit, adivasi and nomadic tribes are constantly exposed to violence in myriad ways,” added Kulkarni

Discussing about rural distress affecting farm women during the current Covid 19 she said, “Much has been written about the current Covid -19 crisis and its overall impact on the farming community, migrant workers and labour. In Maharashtra, we have numerous stories of strawberry farmers, floriculture and horticulture farmers being affected. This is harvest time for wheat, bananas grapes etc. Export of grapes has been affected. Lack of labour due to the lockdown has meant that farmers are not able to harvest their produce at full capacity. The harvested produce in turn has not been able to reach the markets due to problems of transportation which are now being streamlined. Procurement has thus become a major concern for farmers. There are positive stories of the MAHAFFPC, which has decentralised procurement centres and is now procuring produce from the farmers.”

Through a series of conference calls organised with Mahila Kisan Aadhar Manch (MAKAAM) partners and activists on the ground, it is evident that rural women are disproportionately affected due to the current crisis. Work has come to a complete halt in rural Maharashtra as elsewhere. With no wages in hand, most of the rural poor are struggling to make ends meet. The burden on single women, widowed women is especially high as they have relied entirely on daily wages through agricultural labour, MGNREGA, vegetable vending or other petty trades.”

Women engaged in livestock have not been able to move freely to graze their cattle and neither are they able to sell their produce. Their children depend on them for survival. The foremost concern that is staring at them is lack of food supplies for the household. Many of these single women either do not have a separate ration card in their name or it is not Aadhar seeded. This makes it difficult for them to access food supplies from the PDS. They thus are forced to resort to borrowing from shopkeepers that they have to return with interest at a later date or with other kinds of favours. Weekly markets have shut down and these were the spaces where women often bought their vegetables or other produce to sell. Transportation is becoming difficult for bringing in their produce to make door to door sales. Women are demanding that some spaces be made available where they could sell their produce,” said Seema Kulkarni

Although liquor is banned, men are now drinking more than before, gambling is on the rise and all of this has also led to increased violence against women.

Women complain that police ignore overcrowding by men at liquor stalls and gambling sites, but they displace women vendors.

Asked about MAKAAM, Seema Kulkarni replied, “Mahila Kisan Adhikar Manch (MAKAAM) is a national network of more than 200 organisations and individuals that include women farmers and workers themselves. MAKAAM has been fighting for recognition and voice for women farmers and their rights to entitlements. It has a presence in more than 22 states of the country and actively engages with communities in about 14 states of the country. It has taken up a range of issues at the state and national level, especially related to forest rights, women farmers from suicide affected households, transition to ecological farming and women as champions for the same, issues of women cane cutters and other migrant labourers, land rights for women to include private property as well as State lands, claiming rights to ceiling surpluses and other state lands for Dalit and Adivasi women. It supports the cause of rural farm women engaged in agriculture and allied activities, through research, policy engagement with governments, campaigns, public hearings, consultations, media outreach etc.”

Further, she said, “In the current Covid -19 crisis, we are reaching out to about 600 single and widowed women across 14 districts of Maharashtra with basic kits of food supplies. The food and soap kit includes not just the wheat and rice cereals that are part of the existing PDS, but also pulses that are grown locally and onions and potatoes as well. We know that this is a drop in the ocean, but we do hope that this can support the women at least until the government is able to streamline its processes of food distribution. Currently MAKAAM is working at two levels, one is by way of providing direct relief to women and second is to engage with the government to streamline the schemes that it has announced recently and also to chart a course for the post lockdown period.”

Asked about what needs to be done on an urgent basis to help women migrants in cities who have been left without food, water and any other system of support, Seema Kulkarni responded, by saying, “For both women migrants in cities and for rural women, a clearly worked out plan needs to be in place. In the immediate it is important to provide cooked meals and shelters for stranded migrants in the cities. Maharashtra government has announced some schemes towards this. The extension of Shiv Bhojan Thalīs to smaller towns is welcome, but it cannot reach the rural areas. The thalīs need to be provided free of cost for migrants who are stranded in the cities without any cash in hand. Like in the states of Delhi, Telangana etc, migrants should be given free food. In rural areas where cooked meals cannot reach, it is

important to provide adequate amounts of free ration supplies until they are able to tide over the crisis.”

For rural single and widowed women in Maharashtra, MAKAAM has raised an appeal for people to support. Seema Kulkarni requested to support the cause and contribute towards the basic food supplies for women. In Maharashtra the network is anchored by Society for Promoting Participative Ecosystem Management (SOPPECOM).

Asked about the plight of the farm widows and had the agrarian crisis in Maharashtra resulted in an unprecedented number of female farmers' suicide, Seema Kulkarni replied, “The current number of women farm suicides is largely invisibilized as they are not recognised as farmers. Suicides by housewives are higher than farm suicides, but we do not have a rural urban disaggregation or an occupation disaggregation in those suicide numbers and hence do not know how many among them would be women farmers. So we say that the data actually hides the numbers of women farmers ending their lives due to agrarian distress.”

However Telangana reports a higher number of women farmers' suicides. The agrarian crisis is a gendered one and needs to be recognised as such resources are getting degraded, men are either migrating to cities in search of jobs or committing suicides due to the agrarian distress under these adverse conditions women are forced to farm and support their families. With declining investments in agriculture and commons like water, forests etc. women's unpaid work burden is increasing manifold and impacting their lives at multiple levels impact on health is one major concern.

Women cane cutters reproductive health issues were recently in the news with a large number of hysterectomies being done on them and a very large number of child marriages in this day and age among the cane cutters. Again women are invisible workers as they are part of the koyta which is a couple where the men negotiate with the contractors.

Maharashtra's Adivasi women leader on way back from farmers' protest died of cold

56-year old Sitabai Ramdas Tadvi, an Adivasi woman farmer from Ambabari village of Nandurbar district on her way back died of cold on January 28, 2021. Tadvi had been fighting against the farm laws since June 2020, and had been at the forefront of every agitation in Maharashtra, including the march against Reliance Industries in Mumbai on December 22, 2020⁴⁵.

⁴⁵ <https://indianexpress.com/article/india/woman-farmers-protest-allegedly-dies-of-cold-7165209/>

She had joined the 'Farmers Protest' at Haryana- Rajasthan Border on 17th January and died “due to the cold”. Sitabai Tadvi came at the protest site from Nandurbar district and had even participated in the tractor rally on January 26th. Tadvi was associated with the Lok Sangharsh Morcha of Maharashtra 1996 and had spearheaded various agitations over the years. She had been protesting with farmers at the Delhi border since December 16th, 2020 and had left for Maharashtra on January 27th after she caught a chill. However, her condition deteriorated on the way and she passed away in Jaipur. We have been told she died due to extreme cold. She was adivasi farmer and her whole family is involved in this agitation.⁴⁶

Adivasis of Maharashtra

Maharashtra has a population of 11.42 crores (114.2 million) of which 9.35% are Adivasis categorized as Scheduled Tribes (ST), as per 2011 census. The state has second largest adivasi population in the country, next only to Madhya Pradesh. The state has 50,757 sq. km under the Tribal Sub-Plan which is 16.52 percent of the total geographical area (3, 07,313 Sq. Km) of the State. Raigad district in the Konkan region of the state has population of 26.3 lakh people out of which 11.58% are Adivasis. That's about a little more than 3 lakh⁴⁷. The Adivasi population of the state constitutes 5.1 per cent of the country's Adivasi population. The Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976, have notified 46 adivasi communities in Maharashtra. Of these, two adivasi communities namely, Chodhara and Thoti have been notified with an area restriction⁴⁸. Chodhara have been notified in all the districts of Maharashtra excluding the districts of Akola, Amravati, Bhandara, Gondiya, Buldana, Chandrapur, Nagpur, Wardha, Yavatmal, Aurangabad, Jalna, Beed, Nanded, Osmanabad, Latur, Parbhani and Hingoli districts. Thoti have been notified only in Aurangabad, Jalna, Beed, Nanded, Osmanabad, Latur, Parbhani, Hingoli and Chandrapur districts. Among the adivasi communities, Bhil, Gond, Koli Mahadev, Warli, Kokna and Thakur together constitute 73.3 per cent of the adivasi population of the state. Bhils are numerically the largest adivasi community with a population of 25, 88,658 constituting 21.2 per cent of the state's adivasi population. Followed by Gond it's 1,554,894 (18.1 per cent), Koli Mahadev 1,227,562 (14.3 per cent), Warli 627,197 (7.3 per cent), Kokna 572,195 (6.7 per cent) and Thakur 487,696 (5.7 per cent). 19 adivasi communities in the state have a small population, each one are less than 1, 000 in population. Majority of the adivasi communities live in rural countryside. Among major adivasi communities, Bhil have the highest percentage of 95.2 percent living in the villages followed by Kokna with a percentage of 93.4, Warli with 92.7 per cent, Gond with

⁴⁶ <https://indianexpress.com/article/india/woman-farmers-protest-allegedly-dies-of-cold-7165209/>

⁴⁷ <https://www.indiafellow.org/blog/2019/09/who-are-the-katkari/>

⁴⁸ https://censusindia.gov.in/Tables_Published/SCST/dh_st_maha.pdf

87.5 per cent, Thakur, another adivasi community has 86.3 per cent and Koli Mahadev with 80.3 per cent. The district-wise distribution of adivasi population shows that they have been returned in all 35 districts of the state with major distribution reported in the districts of Thane, Nashik, Nandurbar, Yavatmal, Nagpur and Dhule. These six districts account for 54 per cent of the adivasi population in the state⁴⁹.

Among the adivasi communities of Maharashtra, Katkari have been designated a Particularly Vulnerable Tribal Group (PVTG), along with two other adivasi groups included in this sub-category, Madia Gond and the Kolam. It's among 75 Particularly Vulnerable Tribal Groups (PVTGs), as per the classification by Ministry of Home Affairs. Katkari are located primarily in Raigad, in parts of Palghar, Ratnagiri and Thane districts of Maharashtra and parts of Gujarat. Other names and spellings include Kathkari, Kathodi and Kathodia. Katkari derive their vulnerability from their history as a nomadic, forest-dwelling people listed by the British rulers under the Criminal Tribes Act of 1871, a stigma that continues to this day. Kolams are located mainly in Yavatmal, Nanded, Osmanabad, Chandrapur and Gadchiroli districts.

Katkaris are also known as Kathodis due to their old occupation of making Katha (Catechu), the thickened sap from wood of Khair (*Acacia catechu*). This primitive adivasi community work as agricultural labourers, sell firewood and wild fruits. Even catch fish for domestic consumption, toil in making charcoal and bricks. Dismal literacy rates, pathetic health conditions and minimal livelihood opportunities are some of the issues confronting the adivasis. In the aftermath of the pandemic Covid-19, during the lockdown Katkari tribal youth from Shahapur in Thane district had been selling Giloy and other products online. Giloy, scientifically known as *Tinospora Cordifolia*, Amrita or Guduchi in Hindi, is an herb that helps boost immunity. Giloy is beneficial for diabetic patients as it is bitter in taste and helps in managing blood glucose levels. It also improves metabolism and is useful for weight management.

Forest Rights Act (FRA) 2006 and Adivasis of Maharashtra

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, also called as FRA 2006 was enacted 14 years ago in December 2006. This Act recognises the historical injustice that Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) have been subjected to and seeks to secure their rights over the traditionally accessed and managed forest land and community forest resources. It also aims to move forest governance in the country to a democratic and community-based model. It recognises fourteen pre-existing

⁴⁹ https://censusindia.gov.in/Tables_Published/SCST/dh_st_maha.pdf

rights of forest dwellers on all categories of forest lands, including protected areas. These rights are Individual Forest Rights (IFRs) and Community Forest Rights (CFRs) to use and access forest lands and resources, Community Forest Resource (CFR) Rights to use, manage and govern forests within traditional village boundaries.

The Maharashtra Governor, Bhagat Singh Koshiyari issued notification dated May 18, 2020 states that these Divisional Level Committees (DLCs) under chairmanship of divisional commissioners will hear appeals against the decision of the district committees headed by collector.

<https://timesofindia.indiatimes.com/city/nagpur/state-amends-fra-to-clear-more-claims-on-forest-land/articleshow/76048830.cms>

In Maharashtra, 2,54, 042 claims have been filed by Scheduled Tribes (STs) and 1,05,681 claims by other tribal forest dwellers. Of these, 13,712 claims of STs and 8,797 claims of others have been rejected. The notification states Governor took the decision in exercise of powers conferred on him by Schedule V of the Constitution⁵⁰. The Governor modified Section 6 of the FRA 2006, in its application to scheduled area of Maharashtra. With latest decision, the government plans to give justice to the adivasis whose individual or community forest rights have been rejected⁵¹.

Fourteen years after the Central Government passed a law granting Adivasis and other forest dwellers rights to manage resources in forest lands, Maharashtra has emerged as the front-runner among states in implementing the provisions of this legislation⁵².

Gadchiroli and Gondia

Maharashtra's success came on the back of record recognition of Community Forest Rights (CFR) in Gadchiroli district. In a report published by Community Forest Rights- Learning and Advocacy (CFR-LA), it states, If Gadchiroli is taken out of the picture, Maharashtra's average performance of CFR [Community Forest Resource] Rights implementation as compared to the minimum potential [of forest land eligible for these rights] would be approximately 10%⁵³. Maharashtra had granted villages Community Forest Resource (CFR) Rights in 15% of land with the potential for these rights to be recognised. However, this was only because it had recognised these rights in 66% of the potential land in Gadchiroli⁵⁴. In the rest of the

⁵⁰ <https://timesofindia.indiatimes.com/city/nagpur/state-amends-fra-to-clear-more-claims-on-forest-land/articleshow/76048830.cms>

⁵¹ <https://www.im4change.org/latest-news-updates/ten-years-of-forest-rights-act-maharashtra-tops-in-implementation-but-credit-goes-to-one-district-mridula-chari-4682278.html>

⁵² <https://www.im4change.org/latest-news-updates/ten-years-of-forest-rights-act-maharashtra-tops-in-implementation-but-credit-goes-to-one-district-mridula-chari-4682278.html>

⁵³ <https://scroll.in/article/843046/ten-years-of-forest-rights-act-maharashtra-tops-in-mplementation-but-credit-goes-to-one-district>

⁵⁴ https://www.researchgate.net/publication/318489910_Promise_and_performance_of_the_forest_rights_act_A_ten-year_review

state, there was no implementation at all in 21 districts, between 0% and 33% implementation in nine districts, and between 33% and 66% in two districts.

Maharashtra has granted CFRs in 15% of the 1.2 crore acres of potential forest land that could be eligible under these rules, benefitting 5,741 communities. Kerala is a close second at 14%, followed by Gujarat at 9% and Odisha at 5%. Across India, states have recognised only 3% of potential community forest rights.

Gadchiroli has a glorious history of people's movement for land rights and the state's first employment guarantee schemes. The district has been centre of strong and protracted Adivasi movement, which is a significant point for the district's impressive performance. Adivasi groups have been at the forefront campaigning for the FRA for its enactment and pressure mounted by the movement ensured that in May 2008, the state notified rules for the Act and directed gram panchayats to begin holding meetings to file community forest rights claims⁵⁵.

This was followed by a campaign for mass filing of claims, with technical inputs from civil society groups⁵⁶. Mendha Lekha and Marda became the first two villages not only in Gadchiroli but in the entire country where CFR were recognised. The applications from these villages became the format for applications after 2012.

In and around majority of 1,200 villages in Gadchiroli manage to auction tendu leaves, used in the bidi industry, on their own, avoiding government tenders and spending on advertisements. Through this, villages were able to get as much as Rs 13,000 per bag, with an assurance of payment within six months, instead of a year, as is the case when auctions are managed by the forest department⁵⁷.

Yet, even as Maharashtra is foremost in implementing CFR, it is also slowly attempting to reverse this with new forms of forest management.

In May 2014, the state notified village forest rules that already existed under the Indian Forests (Maharashtra) Act. These rules effectively transfer rights for the management of forest produce from communities back to the forest department. Villages have the right to choose between community forest rights and village forest rules – but without prior knowledge of either, have been guided towards opting for the latter.

Dilip Gode of Vidharbha Nature Conservation Society (VNCS) said, “We have a historical process started in the state with recognition of CFR and its post assertion. Management of Bamboo and Tendu is one example which is initiated by CFR Gram Sabhas. Collection of tendu by 12 Gram Sabhas, including 8 from our area (4 in Ar-

⁵⁵ <https://indiantribalheritage.org/?p=23920#gsc.tab=0>

⁵⁶ <https://scroll.in/article/843046/ten-years-of-forest-rights-act-maharashtra-tops-in-implementation-but-credit-goes-to-one-district>

⁵⁷ <https://vikalpsangam.org/article/out-of-the-woods-how-the-fra-is-helping-a-village-in-maharashtra-during-the-covid-crisis/>

-mori Dist. Gadchiroli, 4 in Deori, Gondia District from VNCS area) and rest 4 in Melghat by KHOJ pioneered collection and sale of Tendu leaves in 2013 and now by federating 175+GSs. This is the first process intimated in all over the country. We got government orders issued including CFR Village Management Plan where 50 villages have been covered, formation of an institution called Dist. Convergence Committee for its implementation, collection of MFPs from customary boundaries of CFR village including administrative boundaries and so on. All happened in the state as first of its kind. In our area in Gondia, Gadchiroli and Nagpur, we Gram Sabha have got Community rights over 90+ tanks. Many of them are desilted for restoration of biodiversity and proper water harvesting. Those are used for water harvesting, irrigation and inland fisheries. Gram Sabha of Dongartamashi village has set up hatchery.”

SRISHTI

Society for Rural Initiatives in Sustainable and Holistic Themes in India (SRISHTI), which works in 70 to 80 villages, falling within 4 talukas, namely Korchi, Kurkheda, Desaiganj and Dhanora of Gadchiroli district. Keshav Gurnule, Chief Functionary of SRISHTI said, “1150 villages out of 1435 villages in Gadchiroli district have been accorded CFR titles. After the Gram Sabhas were accorded CFR titles, tendu leaves and bamboo are no more property of the panchayat but it belongs to Gram Sabha. Gram Sabhas which doesn't have bamboos to sell, they earn Rs. 20 to 30 lakhs from tendu leaves. Gram Sabhas having tendu leaves and bamboo to sell earn Rs. 50 to 60 lakhs in a year.

“Each family earns Rs. 30,000 to 50,000 a year. The Gram Sabhas maintain cash book, ledger books and get their accounts audited by a chartered account. They have their GST and VAT too. Gram Sabhas spend even in the developmental activities of the village, education and health. Now the Gram Sabhas are self-reliant and during the pandemic Covid-19, the villages have confronted the crisis doggedly and there has been no financial crisis,” added Keshav Gurnule.

As tendu leaves are Gram Sabha property, contractors have to pay a royalty to villagers. Every year, the contractors ask the villagers to collect the leaves, and pay their daily wages and a small royalty.

In Gadchiroli during the lockdown as an outcome to the pandemic COVID-19, the funds allocated for CFR were spent in distributing essential food supplies to the villagers as it happened in Kukdale village. Every villager was ensured food during the lockdown as Kukdale Gram Panchayat swung into action. The Panchayat bought vegetables from local sellers who had nowhere to sell their produce. Some supplies of grains, oil, and pulses from grocery stores were brought by them. These were then distributed amongst the residents of the village as weekly supplies.

AMHI AMCHYA AROGYASATHI

Dr Satish Gogulwar, Convenor of Amhi Amchya Arogyasathi said, “Our focus is on livelihood issue confronting the adivasis, as our area has 70% forest. We are working in the villages of Kurkheda, Armori and Korchi talukas of Gadchiroli district. In 100 villages, we are working on CFR and in 300 villages on all the issues. Adivasis living in the villages where we are working were feeling detached from forest, as earlier they have to purchase the forest products.

“When the Joint Forest Management (JFM) came into force, then adivasis felt their rights are being addressed and they got the benefit to avail forest products⁵⁸. Bribing the forest guard stopped. JFM was a scheme but not a law. When FRA 2006 was implemented, it came along with Community Forest Rights (CFR) and Individual Forest Rights (IFR). In Gadchiroli there had been long drawn struggle for the effective implementation of IFR. When we started working on CFR, the forest authorities were quite receptive. In Gadchiroli district, CFR titles have been accorded to 1160 Gram Sabhas out of 1435. In Korchi taluka, 80 Gram Sabhas has received CFR titles out of 130 Gram Sabhas and in Kurkheda taluka, two-third Gram Sabhas had been accorded CFR titles, one-third is yet to receive CFR titles. In 100 villages where we are working all of them have been accorded CFR titles. In some of the villages where we are operational, we started with Bamboo. Mendha Lekha in Gadchiroli was the first village to get CFR title in UPA-led Central Government, the then Union Minister of Rural Development, Jairam Ramesh came to handover Bamboo Transit Rights to the Gram Sabha, it was India's first Gram Sabha, which was accorded CFR title, sold their bamboo. Tendu leaves are available in all the villages but not Bamboo. Traditionally the auction had been conducted by the Forest Department with the proceeds going to the state, the presumed owner of the forests. Gram Sabhas in Gadchiroli started receiving 85% of the royalty derived from tendu auctions, but there was gross under reporting of collection and royalty figures by traders and the Forest Department. Then, the Forest Department, or State, was still the owner of forests in this arrangement. There were lot of bungling during that time, as two-third of auction was reported and one-third was kept unreported⁵⁹.

Earlier, the tendu trade was controlled by the Forest Department by carving forest areas into units, setting targets for production, employing adivasis for meagre wages to collect the leaves, and selling the produce to traders who would, in turn, sell it to bidi manufacturing units. Now after implementation of FRA, Gram Sabhas are given two options regarding the process each auction season, and asked to pick one.

⁵⁸ https://en.wikipedia.org/wiki/Joint_Forest_Management

⁵⁹ <https://scroll.in/article/819849/adivasis-have-taken-charge-of-the-tendu-auction-in-gadchiroli-but-theres-room-for-improvement>

Under the first option, the Gram Sabhas are assisted by the Forest Department with the auction. Thus, the department calls for bids, signed agreement with the winning bidder, conducts the auction, and transfers the royalty amount acquired to the villagers' bank accounts. Under option two, the Gram Sabha conducts the auction independently though it can seek the help of the Forest Department and local administrative authorities⁶⁰. The Gram Sabhas call for bids, sign agreements with the winning bidder, and conduct the auction. The winning bidder, however, pays the royalty amount to the Forest Department, which deducts an administrative fee and transfers the auction proceeds to the head of the zilla parishad, who transfers it to the Gram Sabha fund⁶¹,” added Dr. Satish Gogulwar

In 2017, 140 villages in the Korchi, Dhanora and Gadchiroli talukas formed Mahasangh, a federation and carried out the auction of tendu leaves. Each Gram Sabha contributes Rs. 5000 annually to Mahasangh for running its office and keeping the records. In 2017, villagers got Rs. 12,000 for a bag of 1000 bundle followed by Rs. 7500 in 2018 and Rs. 6500 in 2019. Villagers got a daily wage of Rs. 800. The money is transferred to the Gram Sabha account. Power Grid transmission line passed through the community-managed forests, the villagers approached the District Collector Shekhar Singh he was quick in responding and agreed to pay compensation to 19 Gram Sabhas of Korchi taluka. The amount of compensation ranged from Rs. 20 lakh to Rs. 2 crore. On March 18, 2020, the current district collector Deepak Singla froze the account of these 19 Gram Sabhas of Korchi taluka. But nothing was communicated to the villages about it. It came to the notice of the villages on April 16, 2020 when cheques issued by Kukdel, Gahanegata and Zankargondi villages to shopkeepers, against purchase of essential items⁶² for villagers during the nationwide lockdown due to pandemic Covid-19, bounced. The villages have CFR that empowers them to manage the forest areas under their command and own forest produce in the area, such as tendu leaves and mahua flowers, which they can harvest, and sell and use the money for village development. The Gram Sabhas have their bank accounts operated by signatories authorised by and with consent of the Gram Sabhas⁶³. The Maharashtra government has directed Gadchiroli Collector to immediately de-freeze the bank accounts of 19 Gram Sabhas, saying that no irregularity had been cited by him to the state government to justify his action. The Deputy Secretary of Tribal Development, on May 26, 2020 had stated that no violation of FRA, 2006, its rules of 2008 and amended rules of 2012 was cited in the letter issued to the bank or in any other documents made avail-

⁶⁰ <https://scroll.in/article/819849/adivasis-have-taken-charge-of-the-tendu-auction-in-gadchiroli-but-theres-room-for-improvement>

⁶¹ <https://indianexpress.com/article/cities/pune/gadchiroli-collector-freezes-accounts-of-19-gram-sabhas-6419959/>

⁶² <https://indianexpress.com/article/cities/pune/gadchiroli-collector-freezes-accounts-of-19-gram-sabhas-6419959/>

⁶³ <https://indianexpress.com/article/india/maharashtra-govt-asks-gadchiroli-collector-to-defreeze-accounts-of-19-gram-sabhas-6428658/>

-able by Collector's office⁶⁴. Similarly, the District Collector had stated during his discussion with Principal Secretary, Tribal Development, that no specific complaint had been received by him regarding any irregularity in the operation of the back account. The freezing of account of the Gram Sabhas shows that there is a conspiracy to subvert the rights of the Gram Sabha. It's an attack to create hindrances in the ways of the Gram Sabha trying to become self-reliant. Political parties joined the bandwagon in opposing the Gram Sabhas.

Amravati

KHOJ

Payvihir, Nayakheda, Upatkhedha and Khatijapur villages in Amravati district, which falls within Khoj's area of operation, where villagers under CFR got the worst quality of forests, which was 990 hectare got CFR rights in 2012. Once a barren landscape has now been turned into full of greenery due to the efforts of these villages.

It has been possible with guidance Khoj Melghat these villages are implementing a management plan that includes plantation of mixed species, intensive soil and moisture conservation, removal of exotic and unwanted species, and restricted grazing. The Amravati Forest Division played a positive role of a facilitative agency by providing technical and financial support. The Gram Sabhas, led by the youth of the villages, retained the decision-making authority⁶⁵. Payvihir Gram Sabha won the UNDP Biodiversity Award in 2014 for its exemplary work on decentralised forest governance. In 2016, the Nayakheda Gram Sabha also received the Sant Tukaram award from the Maharashtra government for its forest conservation efforts⁶⁶.

CFR has also created tremendous employment opportunities in these villages where less than 35 per cent of the households own land. Rampant migration in these villages has been stopped with members from at least 70 per cent of the households travelling for more than six months of the year to cities in search of employment. But the implementation of the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in CFR areas has generated longer days of employment and good wages in the four villages.

As Purnima Upadhyay, Chief functionary, Khoj Melghat said, "In Melghat there 310 odd villages, around 180 have got CFRs. Khoj works directly with 45 to 65 villages in 3 blocks, namely Achalpur, Chikhaldara and Dharni blocks of Amravati

⁶⁴ <https://indianexpress.com/article/india/maharashtra-govt-asks-gadchiroli-collector-to-defreeze-accounts-of-19-gram-sabhas-6428658/>

⁶⁵ <https://www.downtoearth.org.in/coverage/wildlife-and-biodiversity/forest-governance-2-0-59363>

⁶⁶ <https://www.downtoearth.org.in/coverage/wildlife-and-biodiversity/illegal-wildlife-trade-57731>

district. Khoj started with management plan but that has not been completed as per the FRA. Management plan, simultaneously working with people, it's just not forest rights there are other issues also. Khoj worked on the issue of livelihood, convergence and forest governance. These were the 3 areas we work on convergence of laws, programmes and institution. These are key strategies which Khoj adopts in their areas of operation. The size of disbursement in CFR ranges from 35-50 hectares to 1350 hectares. It depends on village, traditional area etc. Korku tribe has been devoid of their traditional relationship of forest, which has been the main source of nutrition, with a break in that there has been direct result of their moving away from their traditional sources of livelihood. We don't read into the older document of British days about malnutrition per se in this region that basically means malnutrition is somewhere linked to the deprivation caused due to the lack of nutrition emanating out of the forest laws, policies etc. That's what one kind of factor one can really track back to. Khoj has been right from the beginning working on CFR, on rights of the people actually IFR long before, worked on rights of people over the land, we had High Court petition in 2000. Khoj has been working on the rights of the people over forest resources since we started working in 1990.”

Khoj has been working and the adivasis got their nistar rights in their villages. When FRA came into being, Khoj has been involved in training space, lending helping hand to the communities for filing their IFR and CFR claims and working with the Government for ensuring that the claims were recognised. For a long period the claims were stuck at the SDLC level, we should understand how the claims were processed for getting the claims approved. While working with the Government trying to address policy issues across in preparation of their management plan in post-CFR scenario working on convergence. So there has been several jobs has been initiated after a process that we did with UNDP for preparation of CFR management plan. As a culmination of that process there were certain Government regulations on formation of CFR Managing Committees (MCs) and Convergence Committee at the District level.

The Amravati experience is unique as it converges, various laws, governmental programmes and village-level institutions. Rights over CFR have provided round-the-year livelihood to people, while regenerating forests and wildlife habitats⁶⁷.

Thane and Palghar

Kashtakari Sanghatana

The Kashtakari Sanghatana working in the adivasi belt of Thane and Palghar districts comprising mainly of Dahanu, Talasari, Jawahar, Mokhada, Vikramgad, Wada, Pal-

⁶⁷ <https://www.newindianexpress.com/nation/2020/oct/02/role-of-gram-sabha-local-community-key-in-building-resilience-among-tribal-communities-report-2204803.html>

-ghar, Shahapur and Murbad talukas. Predominantly Warlis constitute 60% of the adivasi population in the area. Other adivasis living in the area are Katkaris, Konkanas, Mahadeo Kolis, Vanjaris, Dhodis and Dubalis.

Brian Lobo, a front ranking functionary of Kashtakari Sanghatana explaining about FRA and its involvement said, “Prior to FRA was implemented, the Kashtakari Sanghatana had always taken the position that the forest belongs to the forest-dwelling adivasis and therefore they should have the right over the forest. We had advocated that the forest belongs to adivasis and forest-dwelling communities. In our areas of operation, Community Forest Rights (CFR) titles have been granted. In some they have not so far. About 40 CFR titles have been granted in Dahanu taluka. In some of these areas, there has been training on planning and how to manage the forest, in certain areas people have not done that. Basically in Palghar district in Dahanu taluka, Kashtakari Sanghatana is active on this aspect. The size of the CFR approved is between 35 to 1100 hectares. Adivasis has been involved from the very beginning in the CFR process. A section of 8-15 people drawn from adivasi communities played a more active role since the beginning. In the post-CFR scenario, our organisation has involved the adivasi communities as much as possible. In 28 villages there is more involvement of the communities. 25 villages out of 28 have prepared a plan for CFR area, plans which includes rules for conservation, rules for management and plans how to draw about planning for CFR itself. Kashtakari Sanghatana has not stressed on incomes, either on kind or cash. This not an area where there has been sale or barter of MFPs, moreover in our region MFPs are less so there is no question of income from it. Some of the areas include like 1100 hectares include IFRs within CFR. Either some is of that nature or other are of not. The income from sale of produce or exchange is not there. It is very little from beginning in comparison to other parts of Maharashtra which is the Vidharba area where the entire CFR area has tendu leaf and bamboo this is not an area of tendu leaf or bamboo. This is not CFR area where there is higher amount of exchange or sale that is not here therefore people have not got cash income for having control over the forest.”

“There are many more villages, which are yet to get their CFR titles. In the villages, where MFP is not very high, definitely there lots of people have conserved forest it's definite that there is timber value of forest. Timber rights, which I understand is sustainable management of forest, timber rights should also be included as my understanding of CFR however it is not spelt out clearly in the FRA 2006 it's an interpretation which we are doing. Therefore, there should be right of the community over timber rights should be recognized. That's should be the one issue which have to be addressed in terms of strategy, that means you would have people, there are lot of timber in the forest, you are protecting forest and you are conserving

it then what happens to the timber then altogether it goes to the Forest Department. Instead of sustainably managing the timber, sustainably managing the tendu leaf or the bamboo, nobody knows that you have timber rights it should not happen to finish off the forest. But it has to be done sustainably. People want to do that on that fashion. It is on their land which they are cultivating, it is there on the land beyond forest which they are cultivating,” added Brian Lobo

Post-Covid 19 and Role of Gram Sabha and Adivasi community in building resilience in Maharashtra

Adivasi communities have been severely impacted by the pandemic and have been marginalised further with large-scale loss of livelihood options.

During the pandemic Adivasi and other traditional forest dwelling (OTFD) communities coped in better way with the crisis where their land and forest rights were recognised. The role of Gram Sabhas proved to be crucial when they were been empowered under the legislations of FRA, 2006 and Panchayat Extension to Scheduled Areas Act 1996 (PESA)⁶⁸.

Where the provisions of the legislations were diligently implemented, there the recognition of rights led to overcoming constraints and crisis in a better way.

In the report produced CFR-LA and Vikalp Sangam initiative -- a platform which focuses on environmental issues, which states, “Securing tenure, recognising individual and collective rights, and support for Adivasi and OTFDs towards effective management, restoration and conservation of their customary forests, and autonomy of Gram Sabhas could reduce the need for distress out-migration as it could create ample livelihood opportunities⁶⁹.”

Minor forest produce such as mahua, bamboo, tendu leaves and ownership rights over it created sustainable economies for the communities. Around 100 million forest dwellers depend on MFP for food, shelter, medicines and having cash with them, according to the Centre. They derive 20-40 per cent of their annual income from MFP⁷⁰.

Gram Sabhas coming to the aid of the most vulnerable among the forest communities like women and children, landless families, pastoralists, particularly vulnerable tribal groups (PVTGs) through collective resources generated from community forests, the report states.

Convergence of FRA and Mahatma Gandhi National Rural Employment Guarantee

⁶⁹ <https://www.newindianexpress.com/cities/delhi/2020/jul/29/tribal-body-starts-digital-drive-for-forest-dwellers-2176265.html>

⁷⁰ <https://www.newindianexpress.com/cities/delhi/2020/jul/29/tribal-body-starts-digital-drive-for-forest-dwellers-2176265.html>

Act and scaling up efforts for employment generation from individual forest rights and community forest rights can be an effective strategy to boost local economy in tribal areas, the report suggested⁷¹.

<https://www.newindianexpress.com/nation/2020/oct/02/role-of-gram-sabha-local-community-key-in-building-resilience-among-tribal-communities-report-2204803.html>

Adivasi community worst hit in the Pandemic

The Adivasis from Maharashtra migrate to a whole range of employment. Those from Thane district migrate to the salt pans, brick kilns, sand dredgers, stone quarries and earth work for construction on the outskirts of Mumbai and Navi Mumbai. Those going to work on fishing boats are known to move as far south as Goa and up to Kutch and Saurashtra. A rapid census will show that the Adivasis of Thane, nearby Dadra and Nagar Haveli and Dharampur in Gujarat form the majority of fish workers on this long coastline. Many serve as tandels — captains of the boats. Adivasis from Raigad also migrate for work in the charcoal kilns. Migration is limited intra district to fruit farms, sugar plantations and industrial townships in Nashik and Aurangabad, while the Adivasis of Dhule and Nandurbar cross state borders for employment⁷² in paddy fields, for sugarcane harvesting or construction in South Gujarat. The Adivasis of Amravati and Nagpur migrate as farm or construction labour to fruit orchards or nearby towns⁷³.

These adivasi migrants, as a rule, work under harsh conditions, often in uninhabitable work sheds, toiling for 12 to 14 hours a day, for wages approximately half the legal minimum wage. They are denied benefits, including paid weekly off, sick leave, and casual leave, and are hired and fired at will by the employer⁷⁴. Many adivasi workers are engaged in hazardous occupations without any protective gear or health cover. Others work on obsolete machinery and are regularly prone to industrial accidents.

The primitive adivasis who fall in PVTGs such as the Katkaris, Madia Gonds and Kolams live in abysmal habitations. These communities, especially the Katkaris and the dor kolis, have virtually no homes in their villages. Their houses, often a single room measuring 12 feet by 12, usually have reed walls plastered with mud paste and a roof of straw. When they migrate, the empty house is left to the elements. When these communities return, they try and repair the damaged dwelling, purchase straw for a makeshift roof, partly effective in keeping out the rains, and use the dwelling as

⁷¹ <https://www.newindianexpress.com/cities/delhi/2020/jul/29/tribal-body-starts-digital-drive-for-forest-dwellers-2176265.html>

⁷² <https://www.labourfile.com/section-detail.php?aid=361>

⁷³ https://peoplesdemocracy.in/2020/0524_pd/impact-lockdown-ativasi-communities

⁷⁴ <https://coronapolicyimpact.org/2020/05/01/inhuman-act-migrant-workers-sent-back-to-maharashtra-without-consultation/>

their homes for the short period that the family is in the village. They complete their social requirements such as marriage, and live off their earnings for the two months when other labour activity stops and farm work is yet to begin⁷⁵. Then they move on, and the homes are once again left to the elements.

However, the greatest man made humanitarian crisis since independence the Covid-19 pandemic played out across India, prevailing inequalities got intensified due to government policies and approaches during the arbitrarily declared, unplanned lockdown. The curtain of invisibility that hitherto concealed the existence of 10 crores of workers, termed migrant workers, has been torn asunder through myriad images of horrendous suffering⁷⁶. This huge section of India's labour force or rather India's life force, majority of these workers are adivasis, who have been stripped of their rights as equal citizens of India. They are, along with all sections of the working class and working people whose basic rights are under attack, are hostage in the war that the PM Modi-led Central Government is waging to get out of the huge crisis that the capitalist economy faces. The package is a reflection of this class war. Millions of men and women workers denied public transport forced to walk hundreds of kilometres is equally a reflection of this war. One aspect is their common suffering and exploitation with all other migrant workers. The second aspect is the specific deprivations adivasis face as adivasis, as forest dwellers or in villages in hilly areas, which has the specific impact of the lockdown and the so-called package on adivasi lives and livelihood.

In April 2020 in Nandurbar district of Maharashtra, migrant adivasi workers who went to Gujarat and Madhya Pradesh were pushed into the state limit—some in trucks and others by foot. Majority of the workers, belonging to Bhil and Pawra adivasi groups, have been working in the sugarcane cooperatives in Surat and Tapi and some as daily wage workers in several districts of Madhya Pradesh. Majority of adivasi workers were stuck in Gujarat and Madhya Pradesh for over a month and could not return to Maharashtra because of the nationwide lockdown and also the strict Ministry of Home Affairs' (MHA) order that no interstate movement can be permitted⁷⁷.

The migration of adivasi workers had already started when the lockdown was suddenly imposed. In Maharashtra, adivasis are reporting that work has stopped the contractors often snubbed by the principal employer, have run away leaving the adivasis stranded. Adivasi migrants, since they are not part of the so-called mainstream cultures are even more vulnerable to the general hostility towards the poor displayed by State agencies particularly the police⁷⁸. During the lockdown, un-

⁷⁵ <https://www.modernghana.com/news/1001682/indias-caravan-of-misery-as-migrant-workers-desp.html>

⁷⁶ <https://kochipost.com/2020/05/23/adivasi-communities-are-worst-hit-by-the-lockdown/>

⁷⁷ <https://www.thehindu.com/opinion/op-ed/playing-out-live-a-narrative-of-discrimination/article31560942.ece>

⁷⁸ <https://www.thehindu.com/opinion/op-ed/playing-out-live-a-narrative-of-discrimination/article31560942.ece>

-able to get assistance and despairing of any free travel home, adivasi migrants from Maharashtra like other migrants started the long and painful march home often avoiding highways, travelling through forests and side roads to avoid the police⁷⁹. The Inter-State Migrant Workers Act, 1979, the only law for migrant workers, is on the way to being scrapped by the Central Government led by Narendra Modi as part of its agenda of labour reform. It is to be merged with the labour code, which is an instrument to destroy the hard won rights of the working class. Although the 1979 law is quite inadequate since it deals only with those migrant workers in the contractor system and excludes workers who migrate on their own, for adivasi migrant workers employed through contractors, its implementation would have ensured payment as well as free travel back home. In fact according to the law, the Central Government is legally liable to ensure free travel home since it is responsible for the termination of the work emanating out of the lockdown. Most adivasi habitats have so far been free of the Corona virus. Adivasis are particularly vulnerable to the virus if it is introduced in adivasi areas due to acute vulnerability caused by malnutrition, anaemia.

Instead of tackling the grave situation emerging out of pandemic in adivasi areas, the Central Government- led by Modi used the lockdown to further its pro-capitalist class agenda including in spheres which directly dilute the constitutional and legal rights of adivasis. It is also in this period that the Supreme Court gave its highly questionable judgment against prevailing reservations in schoolteachers' posts for only Adivasis in Fifth Schedule areas in Andhra Pradesh and Telangana. Many aspects of the judgment will have a negative impact on special constitutional provisions for adivasis under the Fifth Schedule beyond the issue of reservations⁸¹.

Adivasi migrant workers of Maharashtra were worst-affected people as they along with Dalits are the backbone of the large pool of migrant workers who faced discrimination back in their villages. Many of them moved to cities to escape the deeply entrenched social inequalities in rural areas but found their hopes of a better life dashed when the virus struck their villages⁸².

Health infrastructure in most of the adivasi villages is dismally low. Not a single rupee has been spent on strengthening the health infrastructure in adivasi areas⁸³. The PDS functioning in adivasi areas is woefully negligible. Now at the time of lockdown, ground reports point to a looming emergency of hunger and starvation in many adivasi areas⁸⁴. In areas where the Particularly Vulnerable Tribe Groups

⁷⁹ <https://www.thehindu.com/opinion/op-ed/playing-out-live-a-narrative-of-discrimination/article31560942.ece>

⁸⁰ <https://www.thehindu.com/opinion/op-ed/playing-out-live-a-narrative-of-discrimination/article31560942.ece>

⁸¹ <https://chahalacademy.com/current-affairs/12-MAY-2020/233>

⁸² <https://www.hindustantimes.com/india-news/pandemic-teaches-a-tragic-lesson-in-migration/story-69EIk6MB70zNDX1VsRTx0J.html>

⁸³ <https://www.ibpsguide.com/sbi-po-prelims-english-language-questions-day-01/>

⁸⁴ https://peoplesdemocracy.in/2020/0524_pd/impact-lockdown-ativasi-communities

(PVTGs) live, the situation is very grave. Agriculture in adivasi villages is still mainly subsistence agriculture and only a very small proportion would be for the market.

However for their requirements, it is common for adivasi households to sell small quantities of their grain produce in local markets for the cash required for daily expenditures. During lockdown with the closure of local markets and trade, this has not been possible leading to a huge cash crisis in adivasi areas to buy any essential commodities⁸⁵. In most adivasi populated areas, this collection done in substantial measure by adivasi women constitutes 40 to 60 per cent of annual cash income of adivasi communities. MFP collection was allowed but the weekly markets, where most of the collected produce is sold was not allowed. Since the minor forest produce is perishable there has been a huge loss incurred by adivasi communities and forest dwellers on the issue of sale of MFP⁸⁶. MNREGA, which can be of great help and the Central Government, gave permission for MNREGA only from April 20. At present, there are hardly any MNREGA works in adivasi areas. It is critical to start projects in a mission mode in adivasi areas if communities are to be saved from destitution. The MNREGA projects can and should be linked not only to agricultural operations but also for the collection of MFP. The lockdown with its destruction of livelihoods has caused more suffering to adivasis than the coronavirus⁸⁷. But this has been compounded by the use of the lockdown by the Central Government to push through policies which have a devastating impact on adivasi rights.

In this period the Central Government has further liberalised mining regulations. This will lead to further displacement of adivasi communities since most mines are situated in adivasi inhabited areas. In the name of “ease of business” the Union Ministry of Environment, Forests and Climate change is fast tracking clearances for projects in forest areas. During the lockdown period proposals in protected areas in forest, tiger reserves, and sanctuaries have been considered for clearance. The essential requirement for consent adivasis is being violated. The proposed draft for dilution of the environment impact assessment for projects is a direct attack on constitutional provisions for protection of adivasi land, of PESA and the Forest Rights Act. The mandatory consultation and consent of Gram Sabhas for any such projects in Fifth Schedules Areas is sought to be eliminated. . The most blatant attack has been in the use of CAMPA funds for afforestation without consultation with the Gram Sabhas. These funds are the compensation paid by industry for projects which have destroyed forests. At present there is a fund of around Rs 48,000 crores which is in the jurisdiction of state governments where the projects are. Adivasi communities

⁸⁵ https://peoplesdemocracy.in/2020/0524_pd/impact-lockdown-adivasi-communities

⁸⁶ <https://kochipost.com/2020/05/23/adivasi-communities-are-worst-hit-by-the-lockdown/>

⁸⁷ <https://kochipost.com/2020/05/23/adivasi-communities-are-worst-hit-by-the-lockdown/>

have been the most affected—not only facing displacement by many such projects, but also denial of their rights to forest community resources by the felling of trees

Fisherfolk communities of Maharashtra

Fisher folk communities form an important component of Maharashtra. Koli fisherfolk community has been living for 500 years and working along the coastal waters of the seven islands that made the present day Mumbai city.

As eminent historian DD Kosambi said, “In Marathi, Koli means the originally heterogeneous marginal tribe-castes that took late in history to agriculture and were often press-ganged for portage in army service. The same word also means spider and fisherman, presumably because the fisherman makes and uses a net to catch his prey as a spider his web⁸⁸ .

Kolis hold the strongest right to the title of Mumbai's original residents. Islands like Kolbhat (now Colaba), Palva Bunder (now Apollo Bunder), Dongri, Mazagaon, Naigaum and Worli were named by the Kolis⁸⁹ .The name Mumbai owes its origin to the Mumbadevi temple in Dongri, worshipped by the Kolis. Around 5,00,000 Kolis are estimated to be living in and around the Mumbai, majority still making their living by fishing despite a very different world rising up all around them on the land, and arguably even more drastic changes taking place below the waters of the sea they depend on. Even today, most of their daily trade is done, as it has been since the late 1800s, at Sassoon Dock, at sunrise⁹⁰ .

Bombay, which is now Mumbai, when it started emerging as a modern city, then it began to slowly marginalising Kolis as they were from Dongri in 1770 by the East India Company. This historical process of elimination eventually pushed them to the strand near Cuffe Parade, from where they plied their ancient trade of deep water fishing⁹¹ . The Backbay reclamation of the 1960's would have further marginalised them had they not approached the courts to stay the reclamation. Now their settlements are protected by law.

Kolis speak a variant of Marathi, which is called 'Agri', their dialect. Originally, the community belonged to the ethnic Marathi. The arrival of the Portuguese during 1500 and their subsequent rule over Bombay led to the conversion of the Kolis to Christianity. The town of Vasai is now home to Catholic settlements, which were originally of ethnic Kolis. Bassien, as Vasai was referred to by the Portuguese and later by the British, has remained as one of the major Koli settlements in northern

⁸⁸ <https://enacademic.com/dic.nsf/enwiki/545350>

⁸⁹ <https://theculturetrip.com/asia/india/articles/the-kolis-of-bombay-the-original-residents-of-the-city/>

⁹⁰ <https://www.firstpost.com/long-reads/the-kolis-one-of-the-oldest-fishing-communities-of-mumbai-face-an-uncertain-future-6500251.html>

⁹¹ <https://theory.tifr.res.in/bombay/history/ethnic/koli.html>

Maharashtra⁹². The Kolis who follow Hindu religion have been segregated into sub-caste prominent among these are Mangela Kolis, Vaity Kolis, Mahadeo Kolis and Suryavanshi

Generations of these Kolis have been in the fishing occupation as their sole profession for survival. In spite of being settled in and around Mumbai city, which prides in calling itself the first metropolitan city of India, the Koli community has still retained the core⁹³ of their traditional culture.

Kolis still distinguish themselves from the rest of the population in their customs and habits, and their social and religious life. This is largely due to their collective dependency on their only profession of fishing⁹⁴. Since 1990s there has been rapid commercialization of fishing and related business activities like procurement, supply chain, and vending of the fishery products. Commercial fishing involving large corporations having license and territory demarcation use mechanized fishing using trawlers for catch. Also the profession has been infiltrated by other communities who had so far never been in this traditional profession. All these and many other socio-economic factors which have emerged lately have resulted in several challenges being posed for the Koli community of Mumbai.

Apart from Kolis, the fisherfolk communities in Maharashtra are Dhiwar, Bhoi and Gavit. Dhiwar are the caste of fishermen and palanquin – bearers deriving their name from a Sanskrit word 'Dhiwara', a fisherman. It has a large number of subdivisions of a local or occupational nature. The Singadia or those who cultivate Singada nut, the Nadha or those who live on the banks of streams and the 'Dhurias', who sell parched rice. The occupations of Dhiwar are many and various primarily they are into fishing and operate boats. They are adept in various methods of river fishing and are regularly employed as a worker on a ferry. They monopolize growing Singade or water nuts in tanks, also grow melons, cucumbers and other vegetables on the sandy stretches along the banks of streams but at agriculture proper they do not excel. Their connection with water has led to them becoming the water-carrier. With the introduction of wheeled transport, their occupation as carriers of palanquins or litters has dwindled.

Bhoi is one of the fisherfolk communities in Maharashtra. Bhoi are traditionally dependent upon the river Adan for their subsistence. Due to depleting fish resources their lives are in danger. Bhoi's, the traditional fisherfolk community in Maharashtra are living in shoreline areas of the west coast of Maharashtra as well as near rivers, reservoirs, dams. Since ancient times Bhoi are known as Palkhiche Bhoi, the tribe which wander all over carrying the Palkhi of king and their families as the loyal ones

⁹² <https://theculturetrip.com/asia/india/articles/the-kolis-of-bombay-the-original-residents-of-the-city/>

⁹³ <https://www.scipress.com/ILSHS.62.140.pdf>

⁹⁴ <https://www.scipress.com/ILSHS.62.140>

Diminishing the rule of king's and kingdom these loyal people have returned to their traditional business – fishing. This community/tribe is mostly found in District of Ratnagiri, Sindhudurga, Raigad and Mumbai and in mostly all districts of Maharashtra where the fishing occupation is traditional carried out.

Gabit are a community found in the Konkan region Maharashtra extending to Goa and Karnataka. In Goa, they are distinct from the Kharvi community found mostly in the Southern part of that state, although they share a similar traditional occupation. The Gabits are primarily a fishing community and are concentrated in the northern talukas of Canacona, Pernem and Salcete. Generally, Gabit live in joint family but now moving towards the nuclear family is evident

Kolis and other fisher folk communities are compelled to surrender their traditional habitat to land developers and touts as their traditional livelihood source is coming under the control of the 'outsiders'. Fisherfolk communities, especially the Kolis face threats to their traditional livelihood source of fishing from large scale mechanization after the fishing trawlers put into operation and influx of North Indians in fishing over the last 2 to 3 decades.

Indian fishers buy the catch from wholesale commercial vendors and sell the fish at the doorsteps of the customer. The selling of fish has been traditionally done by the Koli women, who would collect the catch from their men folk and go regularly to the designated markets to vend the catch. This has been replaced by the North Indian men folk selling the fish locally without going to the designated markets. Due to sheer convenience of getting the catch at their door steps the customers avoid coming to the local markets for their purchases. These 'outsiders' have infringed upon the fisherfolk communities traditional livelihood and are posing a long term threat to their livelihood.

Fisherfolk communities and lockdown

The coronavirus-enforced lockdown severely affected Maharashtra's fisher folk communities, especially in Mumbai as many of them were rendered jobless and found it hard to sustain their livelihood since fish markets were closed till August 2020. During the pandemic, small scale fisheries both in the inland and marine sector found it tough to continue fishing. Fisher folk across the west coast of India threw away their fresh fish catch. In the absence of ice, there could not be any storage. The fish could not be sold as there were neither exporters nor traders. As there were no loaders for loading and unloading of fish, transport of stock and ice and other sundry jobs which were labour intensive and integral, which could not be done. The fisher folk who returned from the sea did not know what to do with their

stock, so they threw it away or sold it at meagre prices⁹⁵.

Fisherfolk communities across the economic spectrum – from the large scale mechanised fleets to the small scale fishers across the coastline suffered an economic blow due to continuous lockdown. Keeping in mind those marine capture fisheries is already a stressed sector the loss of fish created a dent in the economy and food security for a number of people.

Women, especially single women, who constitute a majority of fish vendors at markets, by the roadside, by head loading for door-to-door sale were hardest hit by the loss of access to fish, to transport systems, to markets, and to the consumers, Their day-to-day subsistence economy took a hit, so the impacts at the household level were severe. As nobody were going out and these women fish vendors could not go to people's homes and the markets were usually shut. Rules and policies that were in constant conflict are a feature of the lockdown and similar regulations were hurting the fishery business⁹⁶.

The busiest fish markets, including at the Sassoon Dock in Colaba, Crawford Market in South Mumbai, Bhaucha Dhakka, or ferry wharf near the Dockyard, the Kasara fish market in Thane district and others, which used to be bustling with activity and business every day were shut. Thousands of fishing boats were lying useless and the fisher folk were staring at a financial crisis.

Pastoral communities in Maharashtra

Dhangars, a semi-nomadic group are an important pastoral community of Maharashtra. Most of them are shepherds, some were blanket weavers, and still, others are cow and buffalo herders, butchers and even occasionally farmers. The Dhangar shepherds stay in the central plateau of Maharashtra during the monsoon⁹⁷. Dhangars look after large herds of sheep along with goats, buffaloes, horses, dogs and chicken. Known as Hatkar Dhangars they are into sheep-rearing spread over many districts of Maharashtra. Trekking long distances with sheep from village to village in Maharashtra, the Hatkar Dhangars are invited by the farmers to stay in their farmlands just before the sowing season. Sheep droppings are good manure for the fields⁹⁸. Sheep are made to sit in a farm on the farmer's request for a number of days in wada, a fenced area. During the day, the sheep are taken away to graze in the fields. The fenced areas are shifted from time to time and the sheep droppings provide manure in the fields⁹⁹. The Hatkar Dhangars are paid a rent by the farmers for providing them manure. Farmers and Dhangars used to have healthy relationship

⁹⁵ <https://india.mongabay.com/2020/04/fishers-try-to-stay-afloat-amid-lockdown/>

⁹⁶ <https://www.newsclick.in/Clarity-Rules-Leaves-Maharashtra-Fishermen-Struggling-Lockdown>

⁹⁷ <https://freeguruhelpline.com/ncert-pastoralists-in-the-modern-world/>

⁹⁸ <https://www.indiawaterportal.org/articles/no-land-nomads>

⁹⁹ <https://yourstory.com/2017/04/no-land-nomads/>

with each other, thus farmers providing them with fodder and also used to get grains in exchange of the manure. This used to help the farmer in waste management and also provide them with organic fertilizers¹⁰⁰.

As farmers have started adopting modern techniques of farming, they have begun using synthetic fertilizers which has resulted in a drop in the demand for organic fertilizers provided by the Dhangars. Farmers have begun using pesticides to protect their crops from various diseases which might also end up killing the sheep if they eat fodder from such farms. The shift from the traditional ways of farming to the modern ways has affected the relationship of Dhangars and farmers, which was dependent on the exchange of manure and grains.

Dhangars use the entire grassland landscape and move over large distances depending on the rains, water sources and fodder with their large herds of sheep and goats. Dhangars also sell sheep wool in the cities. Sheep milk is also sold on demand but it is mostly used at their homes. The lambs are separated from the sheep which are often taken out for grazing. Lambs are kept in a special place where they are taken care of and fed during the day¹⁰¹.

Apart from Dhangar, pastoral communities include Kurumar, Krishna Golla and Kuruba communities the Deccan. The cattle herding include Nanda Gawlis., Melghat Gawlis, Mathura Banjaras, Golkars and Maldharis.

Nand Gawali, another pastoral community that has settled in and around Bor Forest in Wardha district of Maharashtra¹⁰². Their main source of income is pastoralism and agriculture contributes further to their livelihood. With shrinking grazing lands and restrictions on grazing cattle in forest land, Nand Gawalis find pastoralism unviable. The custom of farmers paying pastoralists is also disappearing. This has led to many pastoralists quitting their traditional lifestyle and shifting to alternate livelihoods.

During the seasonal migration period of February to June, pastoralists travel more than 20 km along Wardha River with their animals¹⁰³. The age-old practice of seasonal migration for fodder is changing rapidly for Nand Gawalis¹⁰⁴. Many of them used to hire labourers during migration but with other lucrative livelihood options available in and around their village, workers are no longer available for hire. Absentee herding and sedentary pastoralism are a growing phenomenon. The custom of farmers paying pastoralists to graze on their farmland has disappeared at

¹⁰⁰ <https://www.groundxero.in/2019/07/18/attack-on-nomadic-shepherding-community-members-in-maharashtra/#:~:text=Nomadic%20shepherds%20often%20provide%20manure,healthy%20relationship%20with%20each%20other.>

¹⁰¹ <https://www.groundxero.in/2019/07/18/attack-on-nomadic-shepherding-community-members-in-maharashtra/#:~:text=Nomadic%20shepherds%20often%20provide%20manure,healthy%20relationship%20with%20each%20other.>

¹⁰² <https://www.villagesquare.in/2020/02/07/nand-gawalis-struggle-to-sustain-pastoralist-lifestyle/>

¹⁰³ <https://www.villagesquare.in/2020/02/07/nand-gawalis-struggle-to-sustain-pastoralist-lifestyle/>

¹⁰⁴ <http://epc2020.popconf.org/abstracts/200742>

the migrated places. Villagers complained that the availability and quality of fodder in the migrated areas have decreased of late and they had to purchase fodder from landowners to feed their cattle¹⁰⁵.

The families return to the villages before the start of monsoon. For the rest of the period, they sustain their cattle by grazing the animals in the forest grazing land, as well as by feeding crop stubbles¹⁰⁶.

The community takes pride that once the number of livestock was more than double the village population and that they exported ghee and khoa to Manchester in the United Kingdom. But the scenario has changed.

Changes in fodder availability in the forest, as well as migrated places, have affected livestock number. Many families have reduced the number of their livestock on purpose. Of late, the maintenance cost of livestock has increased substantially. Though the market price for milk and dairy products has increased, with the absence of a formal market channel and the presence of middlemen, it is just break-even for¹⁰⁷ the pastoralists.

Under the Forest Rights Act (FRA), more than 1,000 hectare was incorporated under the forest. Villagers have been given the right to access the forest. However, pastoral communities have not been recognized under the FRA¹⁰⁸.

Further, FRA has so far recognized individual rights over the forest but has ignored the Community Forest Rights in Wardha district. Forest area is being expanded without considering the rights of people dwelling in the buffer region of the forest.

Migration and constant mobility in pastoral lifestyle are considered as adaptive mechanisms to deal with climate vagaries. However, because of a combination of reasons mentioned above, age-old customs are changing¹⁰⁹. It becomes imperative to understand pastoral ecosystems and develop institutional programmes to enhance the livelihood security of these communities

Before the monsoon hits the pastoralists migrates to the plateaus, because heavy rainfall does not suite¹¹⁰. Confronting pressure from shrinking grazing land and rising hostility of farmers who once used to await their arrival had added to their woes. No forest land is left to support animals of other states. If pastoralists wish to graze their animals, they must do so on private land and present documents to that effect—written certification from the concerned land owner expressing availability of fodder. In case of illegal grazing, owners can be arrested and their cattle can be

¹⁰⁵ <https://www.villagesquare.in/2020/02/07/nand-gawalis-struggle-to-sustain-pastoralist-lifestyle/#:~:text=Absentee%20herding%20and%20sedentary%20pastoralism,disappeared%20at%20the%20migrated%20places.>

¹⁰⁶ <https://www.villagesquare.in/2020/02/07/nand-gawalis-struggle-to-sustain-pastoralist-lifestyle/>

¹⁰⁷ <https://www.toppr.com/guides/history/pastoralists-in-the-modern-world/pastoral-nomad-and-their-movements/>

¹⁰⁸ <https://www.downtoearth.org.in/coverage/nomads-fenced-in-36863>

¹⁰⁹ <https://www.downtoearth.org.in/coverage/forests/nomads-fenced-in-36863>

¹¹⁰ https://www.india-seminar.com/2010/613/613_nitya

confiscated permanently. Whether the resolution has been implemented by the forest department is not clear. Gram Sabhas in Gadchiroli have reported presence of sheep and goat herds in forested areas, which is banned by the resolution¹¹¹. As it happened in Gadchiroli where there have been violent clashes between the two Gram Sabhas. In Gadchiroli, the pastoralists are at the mercy of other forest dwellers. Hardly any forest is left in Gadchiroli, which does not have Community Forest Rights (CFR) title but pastoralists have no grazing rights.

For eight months they graze their sheep by day in open forest lands, fields, by rivers and streams and camp in temporary shelters by night under the same open sky as the wolves. More recently, because of changes in agriculture cropping patterns and the preference of farmers for synthetic chemical fertilizers, shepherds have had to find alternate grazing grounds¹¹². Some even migrate east to the districts of Latur and Beed in Marathwada.

Worsening ecological conditions and dwindling area of pasture lands are forcing pastoralists and to trek long distances in search of water and fodder. This is forcing changes in their traditional nomadic routines, as they are forced to seek out new nomadic routes. While exploring new routes of migration, pastoralists often face hostility from local village populations. Changing migration routes also means that such families have to deal with the issue of safety – both of humans and of livestock – from such atrocities¹¹³.

¹¹¹ <https://www.groundxero.in/2019/07/18/attack-on-nomadic-shepherding-community-members-in-maharashtra/>

¹¹² <https://www.groundxero.in/2019/07/18/attack-on-nomadic-shepherding-community-members-in-maharashtra/>

¹¹³ <https://www.groundxero.in/2019/07/18/attack-on-nomadic-shepherding-community-members-in-maharashtra/>

3

Jharkhand- a new state, old issues and its struggling people

harkhand is the 28th state of the Indian Union, which was sliced out of Bihar on 15th November 2000 to coincide with the birth anniversary of the legendary Adivasi leader and young freedom fighter Birsa Munda. The state has a total area of 79714 sq. km and shares borders with Bihar, Uttar Pradesh, Chhattisgarh and West Bengal. The State created after sustained local agitation to redraw internal national boundaries on the basis of identity. Nature has gifted the State with rivers, hill forests rich in biodiversity, minerals and a diversity of people.

The State accounts for 48% of the country's coal, 10.93% of its mica and about a third of all other minerals in the country. It is imperative for the state and central governments to keep the channels of extraction open and towards this end, it has resorted to numerous strategies—from financial incentives to engendering community rivalry and conflict—to manipulate and divide the Adivasi population. The biggest threat to the adivasi people is the large-scale alienation from their land through large projects like mines, industry, animal sanctuaries, new townships, highways, military cantonments and army firing ranges, all in the name of national development and national interests¹¹⁴. Between 1960 and 1980, 2.25 million acres of adivasi land in Jharkhand, has already been taken for the mega projects and hundreds of thousands of people have been displaced, most with little or no compensation. Displacement disrupts collective identity which itself is integrally linked to the geographical place where the communities have historically resided. When people are displaced, the very cohesion and interdependence of community life is broken. Alienation, emotional distress and immiseration inevitably result. As per the 2011 census, the state has a population of 32,966,238 out of which 26.50 percent are adivasis belonging to the Munda, Oraon, Santhal, Ho, Bhumij, Kharia, Karmali, Gond, Chick Baraik, Kisan, Sauria, Paharia, Korwa, Kora, Paharia, Binjhia, Asur and Birhor Adivasis.

¹¹⁴ https://www.academia.edu/5278836/Celebrating_Friendship_A_collective_tribute_to_Smitu_Kothari

Agro-climatic Regions

Jharkhand at present has twenty four districts and 32,620 villages. The total population of the state is 26.9 million, a sizable proportion of which is tribal. As a result, 112 of its 211 blocks are in the Fifth schedule, which has been clubbed into 14 Integrated Tribal Development Projects (ITDP), commonly known as Meso Projects¹¹⁵.

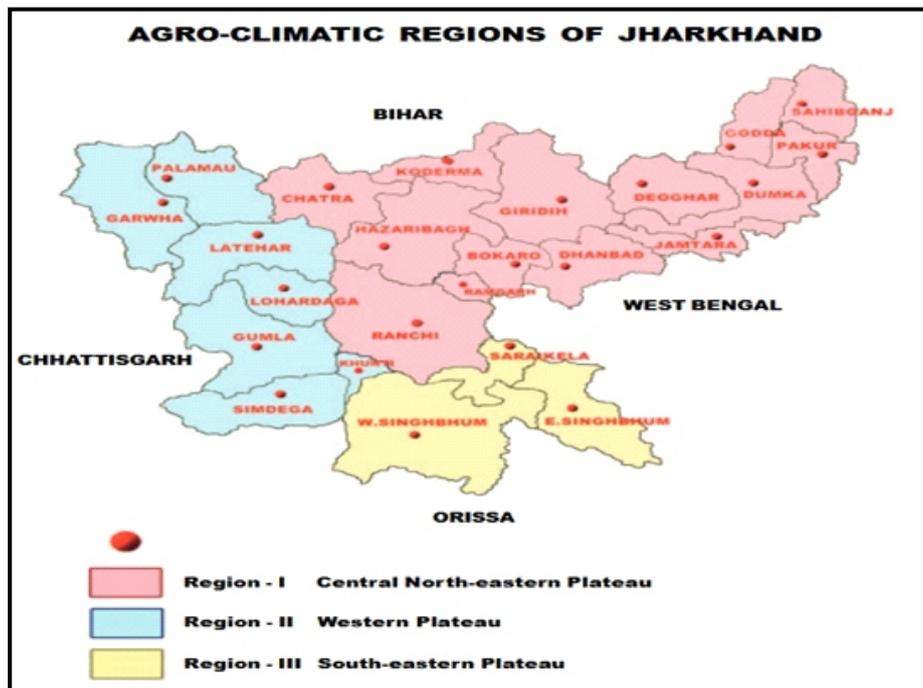
The state is divided into three agro-climatic regions. The Central North-eastern Plateau is characterized by humid and sub-humid tropical monsoon, the Western Plateau by humid to subtropical and South-eastern Plateau by humid to sub-tropical monsoon. The salient features of the agro-climatic regions are presented below:

1) Central North-eastern Plateau

The region constitutes around 44 per cent of the total geographical area. It is urbanized and the most densely populated part of Jharkhand. The percentage of urban to total population is around 22 and the density of population is 433 persons per sq. km.

2) Western Plateau

The region constitutes around 39 per cent of the total geographical area. It is the least urbanized and the least densely populated part of Jharkhand. The percentage of urban to total population is around 17 and the density of population is 246 persons per sq. km.



¹¹⁵ <http://bau-agriculture.com/submit/download/publication/publication1.pdf>

¹¹⁶ <https://docplayer.net/82391471-Agricultural-technology-modules-for-jharkhand-1.html>

3) South-eastern Plateau

The region constitutes around 17 per cent of the total geographical area. It is the most urbanized part of Jharkhand but the density of population is much less than in the Central North-eastern Plateau. The percentage of urban to total population is around 35 and the density of population is 299 persons per sq. km

All the regions of the state are characterized by undulating terrain, non-existence of perennial rivers, erratic rainfall, low water retentive capacity of the soils, low ground water level, high soil erosion, and lack of soil and water conservation practices. As a result, all the regions have insufficient agricultural, dairy and fishery activities, mono-cropping, low agricultural productivity and pockets which experience chronic drought conditions. High seasonal unemployment in agriculture and acute poverty are rampant in all the three regions¹¹⁷.

Table: Agro-climatic divisions with broad characteristics

	Agro Climatic Region	District	Cropped area (000 ha)	Per cent irrigated area	Characteristic Features
Region-I	Central North-eastern Plateau	Chatra, Koderma, Hazaribag, Ramgarh, Bokaro, Dhanbad, Giridih, Deoghar, Dumka, Pakur, Godda, Jamtara, Sahibganj & Ranchi	851.05	11.40	Erratic & uneven distribution of rainfall. Coarse textured soils. Crust formation on the soil surface. Low water retention capacity of the soils. Lack of safe runoff disposal & drying of the tanks
Region-II	Western Plateau	Garhwa, Palamau, Latehar, Lohardaga, Simdega, Gumla and Khunti	670.03	12.60	Erratic and uneven distribution of rainfall. Low water retention capacity of the soils.
Region-III	South-eastern Plateau	East Singhbhum, West Singhbhum & Saraikela-Kharsawan	289.05	7.80	Uneven distribution of rainfall. Low water holding capacity, eroded soils. Shallow soil depth. Poor soil fertility.

Source: Economic Survey 2007-08, Government of Jharkhand

¹¹⁷ <https://www.slideshare.net/VJAYKUMARSHRIVASTAV2/agro-climatic-zones-of-jharkhand-rainfall-patterns-abiotic-stresses>

Five Administrative Divisions

- South Chotanagpur comprising of 5 districts - Ranchi, Khunti, Simdega, Gumla and Lohardaga.
- North Chotanagpur comprising of 7 districts - Hazaribagh, Ramgarh, Chatra, Koderma, Giridih, Bokaro and Dhanbad.
- Kolhan comprising of 3 districts - East Singhbhum, West Singhbhum and Saraikela-Kharsawan.
- Palamau comprising of 3 districts - Palamu, Garhwa and Latehar.
- Santhal Parganas comprising of 6 districts - Sahebganj, Pakur, Jamtara, Deoghar, Dumka and Godda

Adivasis- are they human debris of development?

Eight out of the 32 adivasi groups of Jharkhand fall under Primitive Tribal Group (PTG) are Asur, Birhor, Birajia, Korwa, Savar, Pahariya (Baiga), Mal Pahariya and Souriya Pahariya. The Adivasis normally live in contiguous areas unlike other communities. Their lives are closely associated with the nature as they eke out their livelihoods from the natural environ – streams, trees, plants, animals etc. It is, therefore, recognized that maintaining their identities would invariably mean keeping their environment intact with them¹¹⁸.

Jharkhand in an account of its richness in some key ores and minerals and its abundance in cheap labour, thanks to its backwardness, otherwise, has been the site of a good many industrial establishment since pre-Independence days and that industrialization has brought with it concomitant ill effects the worst of which is the devastation of its environment. In the name of the development large forests have disappeared, tracts of inhabited land have gone under water. Water in the region around industrial areas has been polluted to an extent far exceeding the prescribed safety level¹¹⁹. In fact polluted water carried down the streams and rivers spreads mischief in distant areas also. Industrial pollution is already playing havoc with the life and health of the people of the region. The natural wealth of Jharkhand contrasts vividly with the desperate poverty of the people who inhabit it. This region has been far the ages and the homeland of aboriginal races such as the Mundas, Asurs, Santhals, Oraons, Ho, Kharias etc¹²⁰.

Adivasis have been the worst hit by the large scale exploitation of the natural resources of the region through the development of mines, industries and commer-

¹¹⁸ <http://documents1.worldbank.org/curated/en/153061468041654030/pdf/IPP6290v20P1320C0disclosed04050130.pdf>

¹¹⁹ <https://www.studocu.com/in/document/university-of-delhi/geography/mandatory-assignments/a-lodging-place-in-the-turbulent-mass-of-the-indian-civilization/2878555/view>

¹²⁰ <http://www.sacw.net/article302.html>

commercial exploitation of forests. The majority of them live in a state of semi-starvation through out the year¹²¹. For centuries the Adivasis of Jharkhand lived in harmonious relationship with their environment. They have developed a culture which is closely related to nature. Since their lives are closely related to nature, any adverse impact on the environment in which they live will adversely affect their lives also, and vice-versa¹²².

II

Historic Struggle of Adivasis in Jharkhand

Jharkhand was once a thick forested area in the Chotanagpur plateau, blessed with large number of rivers, waterfalls and a reservoir of mineral wealth like bauxite, iron, gold, coal and uranium and so on. For centuries, the tribes in this region lived in peace and harmony and were very closely linked with nature. There was a symbiotic relationship with forest and other living beings – including the spirit of the ancestors. There was no private ownership of land. Natural resources were always considered as gifts of nature, while human beings are only supposed to be their caretakers. Everything was collectively owned and shared by the community, while disputes and conflicts were amicably settled through collective discussions. But, during the last few hundred years, all these practices have taken a different turn due to several conflicts. Most of the traditional norms and practices have been shattered and all the notions of collective identity and ownership have been destroyed. The genesis of all their troubles could be pointed to the intrusion of outside forces into the Adivasi region.

With the arrival of the British, the Adivasi habitats that were once the abodes of peaceful and harmonious existence now became contested locations where their collective ownership norms have been challenged. This in turn, created confusion and conflicts in the traditional Adivasi identity. The British introduced their own sense of private ownership and individual property rights in Adivasi areas. Together with this, the intrusion of money lenders and Zamindars began the saga of exploitation that would continue for a long time. Gradually, the Adivasis were pushed to slavery and servitude. The people who were once the guardians and protectors of their forests and natural resources gradually became landless poor and destitute, slaving either for the Zamindars or for the British. Resentments against the British and the Jagirdars also grew simultaneously. The sense of pride and the need to regain the lost identity became strong among Adivasi groups. Voices of diss-

¹²¹ <http://www.sacw.net/article302.html>

¹²² <http://www.sacw.net/article302.html>

-ent grew louder and the storm of revolution blew all over and ultimately, they decided to fight back and regain the lost ground.

The first well-known struggle was waged by Baba Tilka Majhi during the period 1780-85. He led an Adivasi revolt against the British and managed to injure a British army chief. The Adivasis fought ferociously using traditional weapons - bows and arrows. But the British brought in more forces and ammunitions and quelled the revolt with gun power. In 1785, Tilka Majhi was hanged to death in Bhagalpur. Although the Adivasis fought vigorously with guerrilla tactics, they could not however, match the gun power of the mighty British Empire. The movement suffered heavy loss and much causality. Several of the Adivasis laid down their lives, but the survivors didn't lose courage and the will was to regain their identity. Baba Tilka Majhi was the first Santhal Adivasi leader, to insist that the natural wealth and other resources of the Adivasi areas belonged to the Adivasi people and the outsiders cannot control them.

It didn't take much long for the Adivasis to arm themselves for the next round of insurrection. Soon, another rebellious storm broke out against the British colonial authority and the corrupt upper caste Zamindari system. The Santhal Hul (Santhal Revolt) was the biggest mobilisation of the Santhals against outside forces to end the slavery of the Adivasis. This revolt began in 1855, and as led by the four Murmu Brothers - Sidhu, Kanhu, Chand and Bhairav and ended in January 1856. This movement also reiterated the same demand that the Adivasi land and resources belonged to the Adivasi people. The Hul revolution united thousands of Adivasis to win back their lost identity and collective land rights. This time too, the British deployed heavy forces to suppress the movement, but soon realized that the Adivasis are a force to reckon with and in order to continue to conduct business in the region, a cordial relationship with the Adivasis need to be reached at. Effectively, as a kind of appeasement to the Adivasis, the British created a separate district called Santhal Pargana, by the Act XXXVII of 1855. Even though, several provisions were put in place to protect the Adivasi resources, the plunder and loot continued unabatedly, so was rise of Adivasi resentment against outside forces.

The next important phase of Adivasi struggle was the 'Ulgulan Movement', waged by the legendary Adivasi leader Birsa Munda or Bhagwan Birsa Munda, during the period of 1895-1900. The Ulgulan movement meaning 'Great Tumult' sought to liberate the Adivasis from the slavery and servitude and re-establish the Adivasi governance. The Ulgulan movement was a continuum of the earlier movements for liberation of the Adivasis and their resources from the Zamindars and the British operatives. According to Kumar Chand Mardi – an Adivasi leader and activist working among the displaced in Jaduguda and Turamdih – the Ulgulan movement

was one of the biggest Adivasi uprising against the British Empire. During this movement, the combination of the terms 'Hul' and 'Ulgulan' were interchangeably used to stress on the urgent need to liberate the adivasis from slavery as well as regain their identity and resources. During this movement, the whole atmosphere was filled with the great revolutionary spirit. Under the leadership of Birsa Munda, the movement was able to garner the support of thousands of adivasis not only belonging to the Munda tribe but several others in the region. The movement created panic among moneylenders, landlords, dacoits, contractors, missionaries and the British imperialists.

Before the British came to India, the forest was like 'Mother Earth' (Dharti Ma) to the Adivasis. All natural resources were created by Singbonga the God. Once the British arrived in Chotanagpur region, 'Western' notions of private property, forest laws and several other rules & regulations were introduced. These new laws and regulations stripped the Adivasis of their natural rights and the onslaught on their culture and resources became all the more vigorous with the penetration of private money lenders into Adivasi areas. The British diabolically encouraged the outsiders, especially the Zamindars and money lenders in the Adivasi belt to extract revenue and resources. Introduction of foreign liquor in the Adivasi region gradually converted many innocent Adivasis into alcohol addicts and destroyed the peace and harmony of the already pauperised Adivasi families¹²³.

III

The Arrival of TATA (Total Appropriation of Tribal Assets)

The struggles of the Adivasis continued for a long time. The indigenous communities in the Chotanagpur region, who were earlier the protectors of Jal, Jungle, Zameen now became displaced victims, landless and poor. When Industrialisation and the development of railways were in full swing, the demand for natural resources and forest produces became stronger. The Tata, a major private player in the field of Industrialisation process in India, began establishing its enterprises in the Chotanagpur region. Easy availability of cheap raw materials for their upcoming steel plant was their main aim in entering this region¹²⁴.

The Tata found that the geographical belt of Chotanagpur region had abundant forests, plenty of mineral wealth and sufficient water resources, enough to sustain

¹²³ https://www.academia.edu/10140481/A_PARADISE_LOST_TRIBES_OF_JHARKHAND_FIGHT_AGAINST_URANIUM_MINING Authored by Tarun Kanti Bose & PT George

¹²⁴ https://www.academia.edu/10140481/A_PARADISE_LOST_TRIBES_OF_JHARKHAND_FIGHT_AGAINST_URANIUM_MINING Authored by Tarun Kanti Bose & PT George

them for several hundred years to come. But there were legal hurdles that stood on the way from directly occupying the Adivasi land. During this time, the Chotanagpur Tenancy (CNT) Act was also being formulated by the British, to control the Adivasi resources being exploited by the outsiders and give more autonomy to local governance¹²⁵. The CNT was already geared up for implementation in the year 1905. But in the Chotanagpur region, the Tata wanted land for mining iron ore and found that the Act, if implemented early, would hamper the land acquisition, mining and the installation of the Tata Steel Plant. So Jamshedji Tata influenced the British and ensured that the CNT Act was not implemented until Tata completed the land acquisition for the Tata Steel Plant. The Tata got the land they wanted and the Act was implemented in 1908. The Adivasis of the region were completely betrayed by this intervention¹²⁶. It took some time for the innocent and simple Adivasis to realise that the British were hand in glove with Tata to exploit and plunder the natural resources in the Adivasi region.

The present Tatanagar used to be a cluster of 18 notified revenue villages in the Singhbhum region and used to be called Kalimati, where the Adivasis lived in peace and harmony for hundreds of years. Today, there are no revenue villages in Tatanagar and there are no signs of any of the old villages or their inhabitants. What happened to the Adivasis who lived there earlier? The original inhabitants of the 18 villages have been dispossessed by the Tata Steel plant. Now, they live on the periphery of the city, impoverished and displaced, eking out a miserable existence. Many of them have migrated to other areas in search of livelihood.

The deplorable and lamenting stories of Adivasi displacement in Tatanagar could be found replicated all over Jharkhand.

The Adivasis continued to battle for their rights, even after the formation of the state of Jharkhand. The new political leadership has now joined hands with big corporations and the industrial mafia to exploit the remaining resources in the state. After the formation of the state, several hundred MoUs have been signed by various governments that came to power. Hundreds of factories, thermal power plants, and other industrial units are being established across the state. In almost all of these, the outsiders get best jobs and positions, whereas the Adivasis continue to do manual labour, while their land and resources are mercilessly being looted away¹²⁷.

¹²⁵ Interview of Prof Dilip Simeon, Labour Historian recalls dark tales from Tata History.

¹²⁶ Interview of Prof Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹²⁷ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

Tata and the Working Class

Labour Historian Prof. Dilip Simeon in his meticulously researched book, 'The Politics of Labour Under Late Colonialism – Workers, Unions and the State in Chotanagpur 1928-1939', published in 1995 narrates the many untold stories about the steel plant run by the Tata Iron and Steel Company (TISCO) in Jamshedpur¹²⁸. They oppressed workers, tried to crush working-class movements through deplorable tactics, conspired to imprison labour leaders, deployed goondas, and forever swung between supporting the nationalist movement and siding with the British, belying their nationalist credentials.

As Simeon writes in his book, the construction of TISCO began in 1907, and it started production in 1911. Soon thereafter, World War I broke out. Almost 100% of the steel that TISCO was producing went towards the British war effort¹²⁹. He presumes that these were consumed by the railways or for the manufacture of building materials, armaments, etc. One can see that for strategic-military purposes, the British were clear about maintaining a strong industrial base in India.

The land granted to Tatas were under zamindari right, as zamindars were normally required to pay revenue to the government but the Tatas were exempted from that payment. They were also given full municipal control over the city. The attitude of the elite and the industrialists then was that, well, they were doing a favour to people by giving them jobs. Hundred years ago, workers of Jamshedpur might even have been slightly better off than they are today¹³⁰. Tatas had a very elitist approach to the architectural layout of Jamshedpur. The areas designated for housing workers soon got overcrowded because of the vast influx of informal labour. This was because there was a huge growth of population with the expansion of TISCO and other ancillary industries in Jamshedpur. There was a large influx of people from outside Singhbhum district, in which Jamshedpur is located, as Simeon wrote

The Tatas had a deliberate policy of hiring people from all around the country. In fact, Jamsetji Tata suggested that the Tatas follow a policy of recruiting workers from a wide catchment area in order to prevent strikes. This was the same attitude that the East India Company adopted vis-a-vis the army after 1857, that is, they didn't wish to raise an army composed of soldiers speaking the same language who could congregate. At least partly, the Tatas' hiring policy was aimed at ensuring that the workers did not combine easily. As it happened, the workers did unite and combine despite the best efforts of Tatas. Questions of language, region, caste and religion did not matter to Jamshedpur's working class¹³¹.

¹²⁸ Interview of Prof Dilip Simeon, Labour Historian recalls dark tales from Tata History.

¹²⁹ Interview of Prof Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁰ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³¹ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

There was no exceptional virtue in the management style of the Tatas¹³². In the early phase of TISCO's life, the Tatas were quite despotic in those days, even afterwards. There was nothing remarkable in their attitude towards workers. Over the years, of course, things got tempered because there was a national movement, and there was pressure on management from within a section of the national movement. But the rights that the workers won were all hard fought for. It was not because of the generosity of the Tatas. But in the late 1920s, then it is a fact that there was unrest among workmen and on the other hand, the Tatas were keen on shedding a proportion of their workforce. There is evidence that the Tatas were keenly aware of the monetary advantages that would accrue from a strike¹³³. The managers expected an increase in profits, and the police noted that the directors would rather welcome a strike, as mentioned in Dilip Simeon's book.

There was only one major strike, between May and September of 1928¹³⁴. Trouble was brewing from 1927 – without going into the previous cases of workers unrest, in the early 1920s¹³⁵. But 1927-28 was when they were seized of the requirement to reduce the wage bill. This was because demand had dipped after the first boom period during World War 1. Then the British were purchasing almost all the steel that TISCO was producing and there was profitability. In addition, the early phase of construction, when large numbers of workers had been hired, was long over. The Tatas were therefore keen to reduce the workforce¹³⁶.

There was tension at the workplace – between workers and supervisors. Some of the crane-drivers were particularly militant. Archival data shows that behind the scenes, TISCO management was keenly aware of the advantages that might accrue to them if a strike were to occur¹³⁷. The 1928 strike was absolutely inevitable. The strike did happen and ultimately, a certain proportion of the workforce was reduced and the Tatas did indeed achieve their main goals¹³⁸.

IV

Resource Rich Jharkhand and its pauperised people

Jharkhand is one of the richest mineral zones in the world and boasts of 40 per cent and 29 per cent of India's mineral and coal reserves, respectively. Due to its large mineral reserves, mining and mineral extraction are the major industries in the state¹³⁹.

¹³² Interview of Prof Dilip Simeon, Labour Historian recalls dark tales from Tata History.

¹³³ Interview of Prof Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁴ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁵ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁶ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁷ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁸ Interview of Prof. Dilip Simeon, Labour Historian recalls dark tales from Tata History

¹³⁹ <https://www.ibef.org/pages/37832>

The value of minerals extracted in Jharkhand is approximately 8 per cent of the total value of mineral production of the country. The state is a larger producer of fuel minerals and accounts for 10 per cent of their total value in the country¹⁴⁰. Coal contributes the most that is, 92-93 per cent to the total revenues from mining received by the Jharkhand State Government, iron ore accounts for another 2 to 3 per cent. Jharkhand receives the maximum mining royalty among the coal-producing states of India¹⁴¹.

Coal Mining brought dispossession, displacement and land erosion to the Adivasis

Coal mining in Jharkhand is done largely through open cast or open cut method, which involves removing of soil and rocks commonly known as 'overburden' by blasting techniques. The depth of the pit depends upon the thickness and availability of the coal seams. Once the coal is extracted, the pit moves laterally and the overburden is dumped into the previous pit. The whole area turns into barren land, more so because post mining directives of planting trees are not carried and the preserved top soil is usually not maintained in India.

However, in Jharkhand, the CCL as well as the BCCL (Bharat Coking Coal Limited) have in general failed to adhere to the Mine Closure Plan directives issued by the Government. There is lacunae in effective monitoring mechanism, apathy and unconcerned towards the environmental issues are some of the probable reasons. A mine producing 40 million tonnes or more of coal in its life time (usually 15 years of operation) would therefore leave a scar of about 25 sq km in the affected area. This is a running mine under the CCL, which is a subsidiary unit of CIL. CCL has been bestowed with the responsibility of not only exploring the area for mining purposes but also for maintaining the upkeep and quality of the environment¹⁴². The responsibility of displacement and relocation as well as restoration of livelihoods of the adivasis and local populace, who get affected and dislocated due to mining, also rests with the CCL.

The geological structures conducive for the formation of coal seams are largely confined to the river basins of eastern and central states of India. The Gondwana coal, which is geologically found in the river basins of Damodar, Barakar, Bokaro, Brahmani, Mahanadi etc¹⁴³. rivers, are also the regions of high population density. In order to excavate the coal (either through open cast or underground

¹⁴⁰ <http://www.sacw.net/article302.html>

¹⁴¹ <http://www.sacw.net/article302.html>

¹⁴² *Journal of Adivasi and Indigenous Studies (JAIS)* (A bi-annual peer-reviewed online journal posted at academia.edu) Vol. VIII, No.1, February 2018: 1–15 © 2017 JAIS, ISSN (online) 2394-5524 Displacement, Rehabilitation and Resettlement in the Coal Mining Area of Rajrappa, Jharkhand: A Case Study of the Affected Villages

¹⁴³ https://www.academia.edu/37835276/Journal_of_Adivasi_and_Indigenous_Studies_February_2018

mining method (in some cases both methods), people of these regions are bound to be affected. Displacement thus becomes precursor to the initiation of mining process. The open cast coal mines have large footprints, destruction and degradation of forested tracks along with severe negative impact upon the endemic plant and animal species being a natural consequence.

Coal mining areas in Jharkhand for decades have been concentrated in the areas populated by adivasis which had brought dispossession, displacement, and the erosion of land in forest-based ways of life. During my visit in the mining affected adivasi villages, it was noticed that in various ways coal mining has affected villagers – be it informal coal peddlers or colliery employees – and its impact on the adivasi community as a whole¹⁴⁴. If we have insightful eyes and see the things critically, it helps us in analysing the lives, livelihoods and perspectives, challenging the common understanding of the effects of mining and dispossession, and contributes to debates related to labour and politics. In contrast with the critical theories of dispossession, it comes to fore that its simply not the destruction of rural adivasis communities rather dispossession had led primarily to socio-economic differentiation within them, creating new and enhanced internal inequalities. By exploring these inequalities in relation to the different types of work, formal and informal, that have emerged locally as a result of mining, which can contribute to the understanding on labour and uncertainties¹⁴⁵. It helps in illustrating how different forms of informal labour can carry different degrees of uncertainties and meanings for working class – in terms of stability, autonomy, work rhythms, and gender dynamics – that inflect their present and longer-term livelihood strategies¹⁴⁶. Contrary to the prevalent narrative of resistance to mining and dispossession of adivasis, we would see such processes can produce not protest but submission. By examining local forms of cooption and patronage in relation to mining operations, my views contributes to debates on the politics of dispossession and non-resistance. It illuminates how political leaders- be it from BJP, Congress ot JMM and NGO functionaries can become brokers between dispossessing projects and villagers, and how this can lead to shifts in everyday socio-political relations that act to curb rather than facilitate possibilities of collective action.

Adivasis in the coal-bearing regions of Jharkhand, live mostly in brick and mud houses. Now, alongside, however in smaller numbers sizable, brightly coloured, gated concrete houses, most often with a large motorbike parking in the courtyard are emerging Only about 10-15 years back, such stark disparities in living conditions were not part of the landscape. It is all due to coal mining. The impact of coal and other mining projects on adivasis, who inhabit much of the Jharkhand's

¹⁴⁴ http://etheses.lse.ac.uk/4043/1/Noy_Extracting-living-labour.pdf

¹⁴⁵ <https://gtr.ukri.org/projects?ref=ES%2FV007173%2F1>

¹⁴⁶ <http://etheses.lse.ac.uk/4043/>

resource-rich tracts has drawn significant public attention.

Coal mining has brought about large-scale land dispossession for adivasis and had led to the pauperisation and destruction of their communities, which are traditionally reliant on access to land and forests¹⁴⁷. But there is another, more hidden effect of mining that could spell the death knell of adivasi society: new profound forms of inequality in these communities, which fracture their very social fabric.

The dominant development paradigm imposed upon the Adivasi communities to integrate them in the mainstream has exposed the pervasive social hierarchies along the caste and class lines, however, adivasis are considerably more egalitarian in their structure and values.

Coal mining areas are depressingly black, iron ore town are red, ochre lends a yellow colour and limestone makes everything chalky white. Fine particles of the ore spread as a uniform layer of dust on every available surface in these areas. The pervasiveness of dust is the strongest indication that mining is not a benign activity. Unless it is carefully planned and thoughtfully carried out, it can barren the land, pollute water, denude forests, defile the air and degrade the quality of life for people who live and work in the vicinity. Modern technology has enormously magnified our ability to extract minerals¹⁴⁸. In the process, it has also gravely threatened human lives and the environment.

Coal mining destroying Tiger and Elephant conservation

Coal mining strikes a dual blow to biodiversity: aside from its role in causing climate change, coal extraction and evacuation results in the destruction and fragmentation of standing forests¹⁴⁹, with implications for both wildlife and forestdependent communities. Virtually all new coal mining, and most of the planned power plants are located in a region broadly referred to as Central India – covering the states of Madhya Pradesh¹⁵⁰, Chhattisgarh, Jharkhand and parts of Odisha and eastern Maharashtra. This same region is also India's largest contiguous tiger landscape, and coal fields here are in proximity to at least 10 Tiger Reserves. Coal mining threatens tiger habitat directly, and will also fragment forest contiguity between Tiger Reserves and Protected Areas.

Betla National Park and Tiger Reserve located on the Chotanagpur Plateau in the Latehar and Palamau districts of Jharkhand, having hosts a wide variety of wildlife has coalfields fall within it's area. Corridor linking tiger reserve stands to be impacted to varying degrees.

¹⁴⁷ <https://www.downtoearth.org.in/blog/forests/coal-mining-and-india-s-tribal-peoples-inequality-as-the-death-knell-of-community-74508>

¹⁴⁸ *Conservation and Development in India: Reimagining Wilderness*

¹⁴⁹ <https://storage.googleapis.com/planet4-india-stateless/2018/06/How-Coal-mining-is-Trashing-Tigerland.pdf>

¹⁵⁰ <https://www.greenpeace.org/static/planet4-india-stateless/2018/06/How-Coal-mining-is-Trashing-Tigerland.pdf>

The Piperwar coal mine, a part of North Karanpura Coal in Chatra and part of the Ranchi districts destroyed six villages. It is a forested wildlife corridor linking the Mahudi ranges of North Karanpura with the Palamau Tiger Reserve in the west. This corridor lay along the well-watered Damodar valley between McCluskiegunj and Balumath¹⁵¹. These were the elephant and tiger corridors linking the Hazaribagh and Palamau jungles.

The Auranga coalfield in the Palamau district has a significant portion of the coalfield, over 57 sq. km., actually lies within the 10 km. buffer of the Palamau Tiger Reserve. Part of the coalfield even appears to fall within the tiger reserve boundaries. Tiger presence has been reported from patches throughout the coalfield. The forest areas in the northern part of the coalfield are part of the corridor that connects Palamau to Lawalong Wildlife Sanctuary further to the northeast. From Palamau, tigers and elephants are known to move to Lawalong and beyond to Hazaribagh National Park and its surrounding forests¹⁵². Palamau is believed to be home to about 180 elephants, and Hazaribagh also harbours elephants. Elephants also move from Palamau through Latehar to McCluskieganj and eastwards along the Damodar river. Elephant presence has been recorded outside the coalfield (see map), in adjacent forests. The Auranga coalfield has been jeopardizing tiger and elephant's movement. In North Karanpura coalfields human- elephant conflict is a serious issue.

The West Bokaro coalfield is a relatively small coalfield lying to the east of the North Karanpura valley, and west of the East Bokaro coal field. While this area once boasted extensive forest cover, there are only a few remnants today, due to decades of coal mining. The eastern end of this coalfield is still covered by intact forest that forms the watershed of the Tenughat reservoir. The western end has forest adjacent to the corridor identified in the North Karanpura connects up to the Hazaribagh National Park. Some coal blocks have been demarcated in this area. The blocks in question are Parej West, Parej West I, North of Parej West, Tapin Extension, South of Tapin, Pundi and Pundi West, as well as a large unblocked area. A thorough analysis of these blocks is needed to ascertain the biodiversity value and livelihood importance of this region. The hitherto unblocked eastern edge of the coalfield shows dense forest and is the watershed of the Tenughat reservoir.

The North Karanpura coalfield witnesses elephant movement in several areas. The elephants move between the Palamau Tiger Reserve to the west and the Lawalong Wildlife Sanctuary and Hazaribagh National Park to the north. Elephant movement along the Damodar river is also being impacted by existing mines on the river banks. Planned expansion in mining will worsen the situation, and would lead to massive

¹⁵¹ <https://www.sanctuarynaturefoundation.org/article/karanpura-must-live>

¹⁵² <https://www.sanctuarynaturefoundation.org/article/karanpura-must-live>

social displacement and the loss of ancient cultural artifacts as well. The wildlife of North Karanpura includes tigers, elephants and gaur (Indian bison), animals listed as threatened by the Red Data Book of the World Conservation Union (IUCN), and featuring on Schedule I of the Indian Wild Life Protection Act. Other species such as leopards, wild boar and deer (including cheetal, sambar, barking deer) are also found in the area. Interestingly, Hazaribagh literally translates to 'land of the thousand tigers'.

The North Karanpura valley is also a cradle for prehistoric cultures is clear from rock art dating back to the Meso-Chalcolithic age (10,000 B.C.) in the Hazaribagh and Chatra areas; deer, wild boar and elephant adorn cave walls, painted in red haematite. Rock art depicting elephants has been found at Gonda and Sidpa on the northern fringe of the Satpahar range¹⁵³. Several of these rock art sites and culturally significant sacred groves are threatened by coal mining expansion. The pre-historic rock art of the North Karanpura Valley has been linked with Indus Valley culture, and links have also been established with Dogon rockart in Mali, Prehistoric Iran¹⁵⁴, and Aboriginal rock art in Australia. If the mining of the valley goes ahead as planned, many rock art sites will be damaged or destroyed. The Isco rockart falls in the Rautpara opencast mine project. At the Thethangi site blasting for a railroad has affected the Saraiya and Thethangi rockart overlooking the railway.

However, open cast mining, particularly in Jharkhand has dealt a severe blow to elephant conservation, leading to movement of elephants into Chhattisgarh and West Bengal.

Iron Ore Mining

West Singhbhum is the top iron-ore mining district of Jharkhand and Manoharpur is one of the key mining blocks of the district, besides Noamundi, Gua, Jhikpani, etc. According to latest information of the state mining department, the district produced about 16.3 million tonnes of iron ore¹⁵⁵.

Gladson Dungdung, an adivasi activist writer in his book 'Mission Saranda – a war for natural resources in India' gives a graphical account how an Adivasi community lived before the start of mining in their neighbourhood and what damage it did over course of time¹⁵⁶.

In his book he writes, “Dubil is an Adivasi village in Saranda forest of West Singhbhum district, Jharkhand. This village of about 500 persons lived a happy life, close to nature. Paddy was the main crop, harvested twice a year, and supplemented by various cereals. The village was blessed with two natural streams, which ran with

¹⁵³ <https://www.sanctuarynaturefoundation.org/article/karanpura-must-live>

¹⁵⁴ <https://www.sanctuarynaturefoundation.org/article/karanpura-must-live>

¹⁵⁵ <https://www.downtoearth.org.in/blog/mining/mining-in-jharkhand-threatens-locals-in-their-own-land-63920>

¹⁵⁶ <https://sabrangindia.in/article/commercial-mining-not-boon-curse-jharkand-central-india>

fresh water throughout the year. But alas, the Chiria iron ore mine, covering 3276 hectares, came up in the vicinity. As the mining expanded year by year, the happy life of Dubil Adivasis started to shrink steadily. The giant company started to distribute the actual mining activity to subsidiary companies who felt they had no obligation at all towards neighbouring village communities in terms of compensation for the damage done to their agriculture and water sources. Eventually about 100 acres of their fertile land became barren and the water stream is now flowing with reddish water. Apart from this, labourers from outside were being brought to work the mines whereas the locals were reduced to the category of 'day-wage labourers'. When the people of Dubil and neighbouring communities organised themselves and protested against this injustice, their legitimate democratic actions were criminalised and police cases were filed against them. Six of their leaders were put behind bars¹⁵⁷. Verily, insult added to injury.

Even some half-hearted steps by the Government to ameliorate their living condition did not make any difference. The housing scheme failed when half of the houses collapsed or became uninhabitable. The hand-pumps stopped working, the solar lamps and radios have disappeared, the bicycles have broken down. Thus the promise usually made at the start of the project of bringing 'development' falls flat and people are left with greater deprivation and anguish.”

The Chiria mines in Saranda are believed to hold the largest deposits of iron ore in Asia¹⁵⁸. In the 85,000 hectare of the Saranda division, 28 leases for iron ore mining exist in about 9,300 hectare. The past few years have seen an increase in mining. Thousand of trucks jam the roads leading to the forest from Chaibasa past Noamundi, disturbing people and damaging ecology.

Uranium Mining

Jaduguda in Singhbhum Thrust Belt in Jharkhand is the first uranium deposit to be discovered in the country in 1951. The Singhbhum Thrust Belt (also known as Singhbhum Copper belt or Singhbhum shear Zone) is a zone of intense shearing and deep tectonization with less than 1km width and known for a number of copper deposits with associated nickel, molybdenum, bismuth, gold, silver etc. It extends in the shape of an arc for a length of about 160 km. This discovery of uranium at Jaduguda in this belt paved the way for intensive exploration work and soon a few more deposits were brought to light in this area. Some of these deposits like Bhatin, Narwapahar and Turamdih are well known uranium mines of the country. Other deposits like Bagjata, Banduhurang and Mohuldih are being taken up for commercial mining operations¹⁵⁹. Some of the other areas like Giradih, Kanyaluka,

¹⁵⁷ <https://mattersindia.com/2020/06/commercial-mining-not-boon-but-curse/>

¹⁵⁸ <https://openspace.org.in/book/export/html/632>

¹⁵⁹ <https://iasscore.in/topical-analysis/nuclear-agreements-significance-issues>

Nimdih and Nandup in this belt are also known to contain limited reserves with poor grades. Apart from discoveries in the Singhbhum Thrust Belt, several uranium occurrences have also been found in Cuddapah basin of Andhra Pradesh. These include Lambapur-Peddagattu, Chitrial, Kuppunuru, Tumallapalle, Rachakuntapalle which have significantly contributed towards the uranium reserve base of India. In the Mahadek basin of Meghalaya in North Eastern part of the country, sandsyone type uranium deposits like Domiasiat, Wahkhyn, Mawsynram provide near-surface flat orebodies amenable to commercial operations. Other areas in Rajasthan, Karnataka and Chattishgarh hold promise for developing into some major deposits.

With a modest uranium resources, India's reasonably assured capacity is about 54,000 tons and 23,500 tons as estimated additional resources in situ. Mining and processing of uranium is carried out by the Uranium Corporation of India Ltd. (UCIL), a subsidiary of the Department of Atomic Energy (DAE)¹⁶⁰.

Jaduguda Uranium Mine and the people living in close proximity

Jaduguda is situated 24 kilometres away from the Tatanagar (Jamshedpur) railway station in Jharkhand on the Howrah-Mumbai rail line¹⁶¹. The uranium ore from the Jaduguda, Batin and Narwarpahar mines is brought to the processing mill at Jaduguda where uranium is extracted and the residue is processed into mill-tailings (radioactive wastes) which are converted into slurry and then transported by pipelines laid over villages, public roads and work areas, and discharged into what are incorrectly called 'tailing ponds'; looking at the scale of the material dumped there, these should actually be called tailing dams. While the Uranium Corporation of India (UCIL) claims that Jaduguda mine has created a large skill base for uranium mining and the mining industry, adivasis and other local communities living in the villages close to UCIL mines point out that their lives and land have changed irreversibly.

The uranium ore is brought to the Jaduguda mill in open trucks along narrow roads linking the mines with Bhatin which is 4 kilometres away and Narwapahar, 12 kilometres west of Jaduguda. The trucks that carry the ore are sometimes partly covered by tarpaulins and occasionally transport workers perched on top of the ore. The dusty roads that run through villages are often littered with rocks fallen from the overloaded trucks. A casual visitor would see children and livestock picking through piles of uranium ore, an evidence of the kind of safety standards being observed¹⁶².

¹⁶⁰ <http://www.ucil.gov.in/pdf/myth/Emerging%20trend%20in%20U%20mining.pdf>

¹⁶¹ *Jaduguda Tribals living under the shadow of Nuclear Terror* Authored by Tarun Kanti Bose

¹⁶² *Jaduguda Tribals living under the shadow of Nuclear Terror* Authored by Tarun Kanti Bose

In the last several decades, there has been a boom in uranium exploration, new mining projects as well as expansion of the existing ones. The of the existing ones. The arguments often given for the new uranium mines are that there is an urgent need to augment the increasing demand for nuclear fuel for the several new power plants that are coming up. Another argument is that, nuclear power will be the saviour of India's energy crisis and that it is a "clean" alternative to fossil fuels in an era of climate change.

The people of Jadugoda are exposed to radioactivity in several ways: uranium mining and milling operations produce dust and release radon gas, both of which are inhaled by miners and cause internal irradiation. Uranium ore is transported in uncovered trucks on bumpy roads, causing radioactive debris to fall off and land on the side of the road¹⁶³. The mine's tailings retain high percentage of the original radiation and are dumped in unlined and uncovered ponds, which emit radon gas and gamma radiation. These particles are invisible and possess great penetrating power and it has the ability to penetrate living organisms, creating a disruption in the normal functioning of the cells. Long exposure of these radiations can lead to chromosomal mutation eventually causing diseases like cancer¹⁶⁴. In the ensuing process, the parent atom disintegrates into smaller atoms which are equally dangerous. Gamma rays are the most dangerous and are a form of pure energy, very similar to x-rays travelling at the speed of light.

Villages which are in close proximity of the tailing ponds are the worst affected¹⁶⁵. During the dry season, dust from the tailings blows through these villages. During the monsoon rains, radioactive waste spills into the surrounding creeks and rivers, causing further internal radiation as villagers use the contaminated water for washing and drinking and also use¹⁶⁶ the nearby ponds for fishing.

According to Xavier Dias, a Jharkhand-based human rights activist and senior functionary of Bindrai Institute for Study and Action (BIRSA) said, "Gamma rays remain inside our bodies and continue their decaying process, cutting short the life of their host, which is the miner." Xavier presented a paper entitled 'Radiological Pollution from Uranium Mines -- Jaduguda' at the Conference on Health and Environment organised by the Centre for Science and Environment in New Delhi in July 1998. He also stated that in uranium mining there is both external and internal radiation.

A survey conducted by Jharkhandis Organisation Against Radiation (JOAR) in 1997 found that a large number of people in Jaduguda were afflicted with cancer,

¹⁶³ <https://www.hindustantimes.com/static/groundglass/jadugoda-the-nuclear-graveyard.html>

¹⁶⁴ <https://www.downtoearth.org.in/coverage/a-deformed-existence-19930>

¹⁶⁵ <https://www.coursehero.com/file/p1vm1tm7/of-the-dams-and-contaminants-thus-dissolved-were-re-leased-into-the-environment/>

¹⁶⁶ <https://www.coursehero.com/file/p1vm1tm7/of-the-dams-and-contaminants-thus-dissolved-were-re-leased-into-the-environment/>

various skin diseases, brain damage, kidney disorders, hypertension, deformities and fertility loss. It was found that women in the area complained of disrupted menstrual cycles. This area also has a high rate of either miscarriages or stillborn babies. Earlier, adivasis thought such abnormalities were 'God's will'. But, of late, they have started believing that radiation from the uranium mines and tailing ponds might be responsible for their woes.

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In a book 'Dissent, Self Determination and Resilience: Social Movements in India' published Intercultural Resources published in 2010 on its chapter on 'Jaduguda' I wrote, "In the absence of any independent study, anecdotal evidence suggests that the mineworkers in Jaduguda are suffering from an epidemic of lung cancer, skin diseases and other chronic ailments. Besides, nobody knows how many people have died so far."

No standards have been met in the tailing ponds construction and no measures have been taken to control the radon emissions from them. As a result, they pose a constant threat to Dungridih, Chatijkocha, Telaitand, Mecchua, Matigora and other villages that lie within 10-15 kilometres. Even Jamshedpur, just 20 kilometres away is not free from radiation¹⁶⁸.

It is on one of the dried up tailing ponds that Dr. Arjun Soren, the first medical doctor from Jaduguda's Santhal adivasi community, once played football during his childhood, unaware of the dangers. He fought cancer and died of 'acute myeloid leukaemia.' His family failed to afford a possible life saving bone-marrow transplant. As a medical student, he used to visit Jaduguda Bhatin, assuring his

¹⁶⁷ <https://thelogicalindian.com/news/sacrificing-human-lives-to-fulfill-indias-dream-in-jadugoda/>

¹⁶⁸ 'Jaduguda Tribals living under the shadow of Nuclear Terror' by Tarun Kanti Bose

Santhal that he would come back and work in Jaduguda.

During the field study, met Mangal Majhi of Matigora village, who recounted while working in uranium mines I had handled the uranium ore during drilling operations. This is in contravention of the Guidelines of the International Committee of Radiological Protection (ICRP)¹⁶⁹. While interacting with former President of UCIL Kamgar Union, NN Bhagat came to know that gloves and masks were not provided to the staff that packed the yellow cakes in drums. Nothing special was done for uranium miners who are exposed to grave dangers. In addition, their families were exposed to slow poisoning on account of UCIL's unsafe waste management practices. Most of the workers are dressed in cotton uniforms and leather gloves directly exposed to high levels of radon gas, dust and highest radiation. Once a week, these workers carry their uniforms home to be hand washed by women and children, exposing the entire family to radiation.

Mangal Majhi said that mostly he assisted in survey work. The geologist, whom he accompanied, used to tell him at what depth uranium would be available after inspection. All these affected his health and he developed gastric trouble, as he could never take his meals on time. The doctors kept on telling him that he had Tuberculosis.. Later, when he consulted a private doctor in Jamshedpur who told him that he did not have TB. Till then, UCIL doctors had already administered 90 injections and some medicines were given to him and as a consequence, my eyes and ears have been damaged. He got his eyes treated by Dr. Mustafa of Bistupur. When I met him he felt, as if some insect is moving in his ears. He still felt sick because of drinking uranium-contaminated water; He had been taking medicines for the last 15 years, when I met him. They took my blood, stool, urine and even semen samples for testing, but the results were never shown to him. All the while, they kept on telling him that he had TB.

He told that no one told him that he became sick by drinking uranium –contaminated water. Villagers have seen the effects on plants and animals here. There used to be 'kendu' fruits grown in the vicinity of UCIL and the tailing ponds. Later on it turned seedless. The fish in the streams have developed all kinds of diseases and started dying. Many cows and goats have also died. The buffaloes had shorter tail. Later on, Mangal Majhi died suffering for many years together from radiation-induced disease.

Adivasis and other local communities living within 25 kilometres of UCIL plant suffer from physical deformities and a variety of diseases such as lung cancer, skin diseases and other chronic ailments.

¹⁶⁹ <https://www.epa.gov/sites/production/files/2015-05/documents/workplan.pdf>

Mangal Majhi remembered how it began as the British officials from Delhi - used to visit Santhali villages, for imparting training and recruitment. Adivasis were not interested. Persistent in their effort, the 'outsiders' continued to come to their houses to take them to work and dropped back in the evening. Later, some of them went to Rajasthan and other parts of the country with the same company. The non-advasi working with them became big shots in the company but for adivasis, the status remained the same. After working in different parts of the country, Mangal Majhi was sent back to Jaduguda where he worked for UCIL. In the beginning, he did not know what was being mined and their Santhal and Ho adivasi communities were never informed about it. When he joined the company, he had to take an oath of secrecy. These mines were built by the government forcibly over their 'Jaher' (sacred places). They did not like this. Adivasis did not want them to defile their sacred places. They were not considered human beings. There was no one to protect them.

When UCIL planned to start mining, Majhi told that Jaduguda was a grove of castor oil trees, which meant, it was a dense forest situated on the adivasi Santhal and Ho adivasi lands in the East Singhbhum district of Jharkhand.

During the field study, Xavier Dias pointed out, "Jaduguda is also 'India's radioactive dump yard. Wastes from the Nuclear Fuel Complex in Hyderabad and the BARC Rare Materials Plant in Mumbai, Mysore, Gopalpur-on-Sea, as well as medical radio wastes from unknown number of sources are being returned to Jaduguda. This came to light when local people began to find syringes, bags and IV pipes from hospital wastes buried in the tailings. It is now widely understood that the company still imports this waste, and is feeding it through the mill, crushing it before discharging it into the ponds. It is likely that some of these materials are gamma radiation emitters, adding to the radiation hazard suffered by everyone in the area." Now Jaduguda is man-made hell¹⁷⁰.

In the last several decades, there has been a boom in uranium exploration, new mining projects as well as expansion of the existing ones. The arguments often given for the new uranium mines such as of Turamdih, Bandhuhurang and Mohuldih were started for fulfilling the increasing demand for nuclear fuel for the several new power plants that are coming up. Another argument is that, nuclear power will be the saviour of India's energy crisis and that it is a "clean" alternative to fossil fuels in an era of climate change.

¹⁷⁰ *Jaduguda Tribals living under the shadow of Nuclear Terror Authored by Tarun Kanti Bose*

Turamdih Uranium Mine and the people

The Turamdih Uranium mine is located just 5 kilometres away from Tatanagar railway station. The mine was commissioned in 2003. The Turamdih Uranium Mill started its operation in 2007 processing about 3000 tonnes of uranium ore per day. It processes the ore extracted from the Turamdih and Mohuldih mines. Several villages around the Turamdih mine and the mill are displaced and are on the verge of collapse due to the impacts of mining, waste dumping, radiation and several other issues¹⁷¹.

In the Turamdih Uranium Mine, the tailing pond is constructed right in the middle of villages where Adivasi communities have been living for generations. The nuclear waste is dumped straight into pond that often leaks into the paddy fields and further flows into the river. In summer, the water in the tailing pond dries up and the wind blows up the radioactive dust in all directions and settles in the nearby areas. These are all highly objectionable issues. Children often play on these dumps and animals graze over them. There is no proper protection of the pond with barbed wire. The tailing pond's water drains off in to the river Subarnarekha contaminating the whole river with radiation. Highly radioactive uranium sludge is regularly being transported to other areas of Jharkhand, without proper protection and gets spilled all over the road.

The state Government of Jharkhand, under The Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA) scheme, is constructing around 80,000 water wells to augment the shortage of drinking water problems. The granite stones used for the construction of the wells are obtained from the uranium mine waste. It is a matter of serious concern that needs to be probed along with a thorough investigation on how the wells are being constructed from uranium mine waste.

The uranium tailing pond in Talsa village is very close to Bada Talsa village where hundreds of Adivasis live. The construction of the pond began in 2005 and was completed in 2010. The nuclear waste slurry from the Turamdih Uranium Mill is dumped into this tailing pond. There are no proper barricades on all sides of the pond. Sahebram Murmu who lives on the edge of the tailing pond is of the opinion that since only one side of the tailing pond is fenced off and all the other sides are kept open it creates lots of problems for the villagers. Wild animals often get trapped in the poisonous sludge and die immediately. Often, the villagers' cattle also stray into the pond, get trapped in the poisonous sludge and die. The villagers and the experts pointed out that the Talsa Uranium Tailing pond is not constructed as per the international standards. The incidences of leakage and bund burst have occurred several times in the tailing pond and the radioactive waste overflow into the paddy fields and the low-lying areas.

¹⁷¹ https://www.academia.edu/10140481/A_PARADISE_LOST_TRIBES_OF_JHARKHAND_FIGHT_AGAINST_URANIUM_MINING Authored by Tarun Kanti Bose & PT George

When there are heavy rain at Talsa village, the villagers in the locality also mention that the outlet of tailing pond is unplugged by the UCIL Management to save pond as it was on the verge of collapse. Because of the high contamination and radiation, Kumarchand Mardi, a veteran Adivasi leader recalled that several quintals of fish in the downstream Subarnarekha River perish overnight. Several hundred snakes, rats and other rodents also die. Paddy fields turns yellowish and dry up.

In the Turamdih uranium mine, most of the Adivasis are working there are temporary workers. The UCIL has no plans to educate the workers and given them proper knowledge about radiation. The villagers whose land has been taken away are also not fully aware of the impacts of the project. The focus of the most of the unions and social movement groups working for the welfare of the displaced Adivasis are only focusing on getting compensation, more money and few jobs in the company. Thus the rehabilitation policy that is really sustainable is not being developed in the whole of Jharkhand. The union leadership and the social movement groups working on rehabilitation are only concentrating on some financial aspects of displacement

Banduhurang Uranium Mine

Banduhurang Mine was commissioned in 2007. This mine is the first opencast uranium mine in India and situated very close to Turamdih Mine and Mill. This mine uses excavators and dumpers for extracting the uranium ore. The villages surrounding the mine are severely affected by the routine blasting, noise and dust pollution, uranium waste dumping in to the farms and fields. Untreated waste water from the mine is let into the river and water bodies, affecting crops. The movement of the villagers have severely been restricted since the opening of the mine. Farming has become almost impossible in the icinity of the mine and grazing cattle has almost been abandoned.

Mohuldih Uranium Mine

Mohuldih Uranium Mine is located bit away from the Turamdih mine. It is situated in Gamharia block in the district of Seraikella-Kharsawan. This mine was commissioned in 2012. The uranium ore extracted from this underground mine is transported to Turamdih mill about 7 kilometres away, for further processing. UCIL boasts of using latest technologies and machineries in this mine to extract uranium. This mine too has displaced several farmers, but relatively few when compared to Banduhurang and Turamdih mines. The Uranium mining by UCIL and its parental organisation the Department of Atomic Energy (DAE) has launched a two-pronged attack on the people:

Our findings

During our interactions with activists, villagers and experts while doing a study on new uranium mines, published as 'A Paradise Lost, the impact of uranium mines in Jharkhand' co-authored with PT George, it was made amply clear to us that the miners working in UCIL's Turamdih mines and mills, Banduhurang open cast mines and Mohuldih underground mines are at great risk, because of their continuous exposure to high concentrations of a radioactive gas called Radon-222. According to Xavier Dias, "Radon-222 is a decay product of uranium and a highly carcinogenic alpha emitter. When inhaled it gets deposited in the air passage of lungs, irradiate cells and later become malignant. Uranium miners are also exposed to Radium-226, another lethal uranium daughter, which is an alpha and gamma emitter with a half life of 1,600 years.

Radium-226 is an integral component of uranium dust. If this dust is inhaled, Radium is absorbed into the body and gets deposited in the bones which in turn cause estrogenic sarcoma, a highly malignant bone cancer, and leukaemia, because white blood cells are manufactured in the bone marrow. Uranium daughters present in the ore emit gamma radiation too, which emanates from the surface of the uranium mine. So, miners are constantly exposed to whole-body radiation (like X-rays), which irradiates their bodies and even damage their reproductive organs. As a result, uranium miners suffer from a very high incidence of cancer and other lethal diseases.

Many Adivasis working in the UCIL mines of Jaduguda, Bhatin, and Narwapahar — though it is kept as a secret — have died die to lung cancer. What happened to those workers in the older mines have also been happening to miners working in the mines of Banduhurang, Turamdih and Mohuldih. A deadly fate is eagerly waiting for them. People living in Turamdih, Jaduguda and Banduhurang, not only suffer from serious ailments due to radiation but also social exclusion. Around four decades ago, just the way it used to happen in leprosy colonies, the social exclusion is happening to people who are displaced by uranium mines. Very seldom marriages take place in leprosy colonies as young men and women affected by leprosy used to live in isolation and exclusion. Similarly, in the uranium radiation zones, such issues have surfaced. Adivasis living in and around the uranium mines are often excluded from attending marriage functions of their relatives living in other villages. Even if they are invited, they would be served food in different utensils, which are kept separate from other utensils. During some family functions or religious rituals Adivasis living in Jaduguda or Turamdih are not invited to take part. Adivasis and others living in Jaduguda, Turamdih and others are socially excluded within their communities and even outside. It's a serious issue which needs to be studied by the

Government and NGOs so that that, measures could be taken to stop these things.

People living near uranium tailing ponds and the adjoining villages, who have never heard of complex scientific words such as Thorium, Plutonium, and Radon and so on, are simply not aware of the fact that they are continuously exposed to Radon gas and other uranium decay products. They are vulnerable to constant radiation, which in turn will make them prone to cancer or leukaemia. A mere sight of the people living in villages very close to the UCIL mines and the tailing ponds – make it amply clear that the radiation is taking a terrible toll on their lives. Most of the villagers look frail, sick, suffering and gradually would die from radiation related diseases. No one knows exactly, how many innocent villagers have fallen prey to various radiation-related diseases, because the UCIL authorities do not keep a track them.

Firstly, the UCIL has expropriated the livelihood of the people without considering any alternative for the adivasis who are primarily dependant on agriculture; Secondly, uranium mines cause radiation and it impacts human beings, animals, plants and the environment and; Thirdly, there is an alarming rate of human right violations on the people who are affected by mining, especially the Adivasis and members of the civil society groups that protest any such violations. Where the nuclear power plants are coming up, the DAE is taking land away from the people. Here it is a question of land grabbing and at the same time committing human rights violations over organisations resisting such take-over. Another important issue is the construction of large projects dealing with massive possibilities of radiation, dangerous to humanity and ecology.

V

Development projects in Jharkhand

State- sponsored destructive development projects –be it mining, industries, firing range, power plants, dams or acquiring land for opening IITs, IIMs or other premier institutions – deprives adivasis, dalits, women and the marginalised sections of the basic tools of sustenance which they shape and build lives that retain a freedom from want. Displacement brings them face to face with human and ecological paradoxes with tragic consequences. Alienation, forcible evacuation, the shifting of emotional territories, the schizophrenia of new locales

Development projects have uprooted millions of adivasis, which had brought a major inflow of non-adivasis who are better equipped with the skills of appropriation to increase the pressure on land. The only remaining source of sustenance- the land is being snatched away from them. The Welfare programmes or schemes have added to the influx and emergence of a new class of exploiters – the contractors, the political big wigs and bureaucrats. Further alienation of land had pushed adivasis to the brink of disaster. The adivasis are forced into the labour market at the lowest rung. The land- their only source of livelihood with dignity is continuously being robbed from them. In the state capital Ranchi at Lalpur Chowk or near the Kutcherri, uprooted adivasi men and women sit on the road to sell their labour. But the contractors, majority of them are non-adivasis and outsiders prefer women or adolescent girls, as they are vulnerable and pliable.

Development is a game-plan that excludes adivasis, dalits and the marginalised almost entirely from any benefits whatsoever. Displacement is concomitant of development-direct and indirect displacement has been sadly a recurring feature in the adivasi belt of Jharkhand for too long. Loss of land and forests are not only the consequences of displacement. It wreaks havoc with their entire way of life and culture. Most importantly it has helped in dismantling the *raison de' etre* of ancient culture as it helps in robbing identities of historicity thereby creating fissures in the social and cultural cohesion of the communities.

The deep discontent brewing against the development projects and its adverse impact has helped the adivasis to perceive the hidden agenda behind any project which aims to bring them into national mainstream. They have learnt from their experiences that integration with the so-called mainstream means widening of existing disparities and surrender before the dominant intruders.

The dominant development paradigm is itself antagonistic to the survival of the adivasis, whose world views are compatible with the emancipation of toiling masses. All structures which are proponents of the development model, whether it is the established big political parties, the state-funded NGOs, rightist reactionary organisations or extremist groups are being increasingly perceived as enemies of the adivasis.

VI

Koel Karo people's movement: Mother of Anti-Dam Battles

In 1955, when Jharkhand was still part of Bihar, the Koel Karo hydroelectric project was conceptualized, with subsequent surveys in the 1950s conducted by the Bihar State Electricity Board. By 1972-73, the project report had been prepared, and land acquisition began. The intention was to generate 710 megawatts of electricity. The rivers would be dammed at two points: Basia on the South Koel River and Lowajimi on the North Karo River. The two reservoirs would be connected through an inter-basin channel with a length of 34.7 kilometers¹⁷².

The estimated displacement has been widely contested, with official estimates pegging it at 7,063 families from 112 villages, but community estimates going as high as 200,000 people. It is believed that 135 to 140 villages would be completely submerged, while 66 acres of cultivated land would be permanently flooded. Further, several sacred sites of the local population would be submerged by the project, estimated at about 152 sarnas (sites for ritual festivities) and 300 sasandhris (burial sites)¹⁷³.

The Koel Karo Jan Sangathan (KKJS) has been opposing the project since 1970s and the struggle has been termed as the 'mother' of the anti-big dam in India which continued for 40 years. Spearheading the struggle, KKJS advocates for the rights of adivasis and present a unified face to the government. This democratic struggle has been one of the most sustained struggles for identity, justice and place—a struggle that has contributed hope and inspiration to a wide cross-section of people's struggles throughout India.

In the initial period of the Koel Karo project, access roads began to be built to the Karo area, but the workers building the roads were brought in from other areas, and the locals were kept unaware of the intentions of the government. In 1974-75, following the creation of a blueprint for the project, an office was established at Torpa, a small city near the project sites. The Torpa office began to acquire land for the project. Only at this point did the local people become aware of the planned dams.

The adivasi villagers were troubled by the corruption pervading the process of acquisition, and united against cheating in the “measurement of land, in payment of compensation and giving of jobs.” They began mobilizing, and two organizations

¹⁷² <https://www.ritimo.org/The-Koel-Karo-People-s-Movement-in-Eastern-India#:~:text=The%20inhabitants%20of%20the%20area,the%20Bihar%20State%20Electricity%20Board.https://base.d-p-h.info/en/fiches/dph/fiche-dph-8885.html>

were formed: the Jan Sanyojan Samiti (People's Coordination Committee) in the Karo area¹⁷⁴, and the Jan Sangarsh Samiti (People's Struggle Committee) in the Koel area. Initially, the adivasi and non-advasi cultivators had differing opinions about the mode of agitation, but by 1976, the two resistance organizations united to form the KKJS, with Moses Gudia elected as the Chairperson, and Halim Kujur as the General Secretary.

There had been reports by many villagers of poor survey work and destruction of crops during surveys, leading to a general demand that survey work be entrusted to locals, not outsiders. In 1977-78, this culminated in a significant agitation, the kam roko andolan (stop work agitation), which primarily focused on not allowing work to continue in the project area. The villagers successfully constructed a barricade at the village of Derang, and were able to stop the unloading of cement and steel by the Bihar State Electricity Board (BSEB) at the train station in Pakra. On January 5th, 1979, the BSEB invited the KKJS for negotiations. At this meeting, the KKJS presented a 16-point charter, following which it was agreed to unload the materials at the station. In return, the government was required to delay construction until a mutually-acceptable solution to the issue had been found¹⁷⁵.

In 1980, the project was brought under the National Hydroelectric Power Corporation (NHPC), which meant that the new head of the project was far less approachable. The struggle intensified, with protesters damaging a vehicle used by land acquisition officials. Women also joined the struggle. The government was forced to initiate

discussions with KKJS, and several rounds of discussions took place between July 1983 and May 1984, but bore no fruit. By July 1984, the Bihar state government sent in armed forces to secure the area, but they were resisted by the villagers. Women blocked access routes to the area, and prevented any access to drinking water, firewood and so on. In fact, rumours began to spread that the water meant for the troops was being poisoned by the villagers, leading to great panic among the troops. As NHPC started to hold its fort, surveys began to take place and the company started entering the village with paramilitary force¹⁷⁶. Soma Munda, an ex army soldier and President KKJS, pointed us that the fight against the company took a sharp turn hereon,

The 'force' created enormous troubles for the adivasis. Villagers formed special groups to keep it under check. The 'janata curfew' – a system where the villagers decided what time the forces could emerge from their camp – was enforced. It became impossible for the armed men to continue staying when the non-cooperation of the villagers reached tipping point, and they refused to share water and other basic

¹⁷⁴ <https://base.d-p-h.info/en/fiches/dph/fiche-dph-8885.html>

¹⁷⁵ <https://www.ritimo.org/The-Koel-Karo-People-s-Movement-in-Eastern-India>

¹⁷⁶ <https://www.aktivasi-koordinasi.de/wpdev/wp-content/uploads/2018/02/diplomarbeit-koel-karo-summary.pdf>

amenities with them. Finally, the force retreated

In August 1984, B. P. Lakra of the Xavier Institute of Social Service submitted a petition to the Supreme Court. The Court responded favorably, issuing an injunction stating that the government was not permitted to use force to acquire land until a mutual agreement had been reached. This was a shot in the arm for the movement, and the armed forces had to retreat. The next ten years saw relatively limited activity on the project front, with mere official dithering. In 1985, the Government of Bihar announced that it would build two model villages, meant as rehabilitation villages, and then the villagers were free to choose if the new habitation was suitable; however, the government never fulfilled its promise. In October 1986, all developmental activities in the area were halted.

However, near a decade later, activity intensified when the government announced that Prime Minister Narasimha Rao would lay the foundation stone of the project on July 5th, 1995. This announcement was met with strong opposition in the area, with thousands participating in protests and demonstrations. On June 10th, 5000 protesters gathered in Torpa¹⁷⁷. On June 26th, 15,000 marched in Tapkara. This demonstration culminated in the declaration of a people's curfew in the area, which meant that government and project officials were barred from entering the vicinity. In fact, the KKJS had declared July 5th to be a Sankalp Diwas (Day of Commitment). This led to the prime minister canceling his attendance. The state's chief minister Laloo Prasad then announced that he would inaugurate the project, only to be met with similar protests. Backed by opposition political groups, the KKJS declared that it would prevent the Chief Minister from coming to the project site, and more than 25,000 people blocked the road by lying on it, preventing the Chief Minister's helicopter from landing anywhere, leading to the cancellation of the event. This massive rejection of the Chief Minister's entourage received solidarity from several NGOs and human rights organizations from across the world¹⁷⁸.

In December 2000, the new state of Jharkhand was carved out of Bihar, and the opposition party (the Jharkhand Mukti Morcha) told the newly-formed government, led by the right-wing Bharatiya Janata Party (BJP), to expect dire consequences if the Koel Karo Project was resumed.

On February 1, 2001, on the pretext of a search operation for members of a Maoist guerilla group, armed troops were sent to the site of the project in Tapkara, where they removed the barricade that had been erected by the KKJS. Amrit Gudia, a villager who was passing by, protested to the police contingent about their removal of the barricade, following which he was assaulted until he lost consciousness.

¹⁷⁸ <https://thewire.in/rights/18-years-on-memories-of-jharkhands-adivasi-anti-dam-struggle-endure>

Another villager, Lorentius Gudia, then accosted the policemen, only to be assaulted himself, following which the policemen fled the site. The KKJS held a meeting in the evening, to review the immediate steps that needed to be taken to deal with the situation. They decided to hold a peaceful sit-in at the same site where the barricade had been placed. The next day, February 2, a crowd of about four and a half thousand gathered at Tapkara. Under the leadership of Raja Poulush Gudia, Soma Munda, Vijay Gudia, Poulush Gudia, and Sader Kandulna, they submitted a memorandum of their demands to a police officer present on the site. The demands were as follows: “The police officials must replace the uprooted barrier back... with due respect and in accordance with tribal customs. Both the injured victims – Amrit Gudia and Lorentus Gudia – must be paid compensation¹⁷⁹ of Rs. 50,000 each. The twin guilty officers-in-charge R.N. Singh [from the Tapkara Observation Post] and Akhshay Kumar [from the Rania Police Station] must be suspended with immediate effect and be removed from the area.”

This last demand was important because the two offending officers were not from tribal communities. As organizations like the People's Union for Civil Liberties (PUCL) have argued, only tribal police officers should be posted in tribal areas.

After some time, a local BJP politician, Koche Munda, arrived and addressed the gathering. He left the site for some time, at which point, a sudden police firing took place, leading to the death of 8 people (seven adivasis and one Muslim) and the injury of some 30 people on the site. There are several contesting versions of what happened. The official police version claims that the crowd got agitated after being incited by a local timber merchant, after which they were warned several times, then tear gas shells were released into the mob, following which the shoot order was given. Several eyewitnesses and policemen, after a fact-finding team visited the site, revealed that the two policemen involved in the thrashing the previous day began assaulting women and youth who were sitting in front, following which some of the local youth got enraged and began pelting stones at the crowd. The police fired some shots in the air, after which the crowd began dispersing, and the police started firing indiscriminately at the retreating crowd. The site of the firing was immediately renamed the Shaheed Sthal (Martyrdom Site). The firing was met with outrage across the country.

Every year, henceforth, February 1, 2 and 3 are days when members of the community gather at Tapkara, the site of the martyrdom, to remember the supreme loss undertaken by many against the repression of the police forces¹⁸⁰. On August 29, 2003, Arjun Munda, the Chief Minister of Jharkhand, announced that the Koel Karo project was being scrapped. The reason stated was financial difficulty, and exorbit-

¹⁷⁹ <http://base.d-p-h.info/fr/fiches/dph/fiche-dph-8885.html>

¹⁸⁰ <http://base.d-p-h.info/fr/fiches/dph/fiche-dph-8885.html>

exorbitant rise in the project costs and estimates, since the initial formulation of the project. Following this momentous announcement, on February 1, 2 and 3, 2004 the KKJS organized a large programme at the Tapkara martyrdom site, and February 3rd was declared as Vijay Diwas (Victory Day).

On July 21st, 2010, the Governor of Jharkhand finally completed the closing of the Koel Karo project, giving official sanction to the announcement made about seven years earlier. All offices of the project were closed, and all employees promised rehabilitatory employment in other government agencies.

The victory of adivasi residents across the Koel-Karo basin is a poignant story of survival. But it has cost them their lives, where, generations have come together to save their land in extraordinary unity¹⁸¹. Soma Munda pointed out that this is a living example of how adivasis sweat and blood had saved them. KKJS President said that it would have been the longest canal joining the two dams, then they would have drowned themselves with the water.

The dam's structure might never have come up, but for Soma Munda, it is a living enemy. "They think we have weakened. They must know they are wrong. We are quiet until the dam is quiet, we shall wake up in rage if the dam comes, like we always have," Soma Munda warned.

The KKJS has maintained its role as a social organization, involving itself in the day to day affairs of the members of the community, and has taken initiatives to run cooperatives in several villages. They have also involved themselves in developmental activities of all villages in the area.

The struggle in the Koel and Karo villages is also a struggle against development policies that have privileged the needs of industries and urban centres over those of the local communities, policies that have been made predominantly by those who have little comprehension of the importance of place and of the critical issues. The Adivasis interest have come into sharp conflict with the national interest of states and of national and global capital and their remote-controlled extractive governance. The processes of economic globalisation that have placed conflicts of interest. The Koel Karo peoples struggle has led them to search for alternatives to large-scale hydroelectric power generated by such dams. In the process they have provided a critique to mainstream definitions of culture and to community-civil society state relations and asserted that collective action can nurture community solidarity and cultural and political affirmation. Another issue that the struggle has highlighted is that while state violence does not always provoke social movements, in the case of Koel-Karo, what was crucial is that sustained State harassment, oppression and violence did not result in violent community responses but in creative non-violent resistance.

¹⁸¹ <https://base.d-p-h.info/en/fiches/dph/fiche-dph-8885.html>

VII

Jal, Jangal aur Zameen: the Pathalgadi Movement and Adivasi Rights

The Pathalgadi movement of the adivasi people started in 2017 was marked by the practice of erecting large stone plaques at the entry points of adivasi villages in Jharkhand. They were painted green and covered with constitutional provisions carved in white lettering. The leaders of the movement decided to carve the key provisions of the Panchayats (Extension to Scheduled Areas) Act (PESA) 1996 as messages on the stones to enlighten adivasi people about this law, which allows villages to constitute as administrative units. The movement stemmed from a two year long agitation against the government's proposal to introduce land acquisition laws, which would threaten the land rights of adivasi people.

The movement gained popularity in several villages of Khunti district of Jharkhand in late 2016. Khunti district is widely known for being the birthplace of adivasi hero and icon Birsa Munda. Since 2016, the movement has gained popularity in Chhattisgarh, Odisha, other districts of Jharkhand and parts of West Bengal and Madhya Pradesh¹⁸².

Historically, the word 'Pathalgadi' comes from an adivasi custom of positioning a stone on a dead person's tomb. According to sociologist Prof. Virginius Xaxam the custom is more frequently practised among adivasis from the "Austro-Asiatic linguistic family such as the Mundas, Khasis, etc." Contemporarily, drawing from this custom, Adivasi communities display messages on large stones- known locally as pathalgadi-that are painted green and measure about 15ft by 4ft. the movement seeks to replace the power of the central and state government with that of the local Gram Sabha. Thus, the messages they display include excerpts from the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) as well as warnings to outsiders that inform them not to enter the villages¹⁸³.

1) Historical Precedents for Adivasi Land Alienation

Virginius Xaxa argues that while the state government and mainstream media have labelled the Pathalgadi movement as "anti-national" and "Maoist driven," it brings to the fore long-standing issues Adivasis face, particularly that of land alienation. Xaxa details how this process was institutionalised during colonial rule¹⁸⁴.

¹⁸² <https://www.epw.in/engage/article/pathalgadi-movement-nation-autonomy-rights-ativasi-jharkhand>

¹⁸³ <https://beaconias.com/the-pathalgadi-movement-and-ativasi-rights/>

¹⁸⁴ <https://www.epw.in/node/155441/pdf>

What has been happening in the adivasi areas in the heart of India, reminds one of the early phase of the British rule in these areas. The British brought tribes under the same rule and administration as others, once the territories they inhabited were incorporated into British India. There was an imposition of laws, rules, regulation and administration that were alien to the adivasis. The new land and revenue settlements resulting in the introduction of private property in land along with written documents in support of it, was one such instance that played havoc in adivasi areas¹⁸⁵. This was the beginning of the alienation of adivasi land to non-tribes.

Even after specific legal provisions were made in the Constitution to safeguard adivasi rights, the people and institutions that were given the responsibility to administer them often had little knowledge and understanding of the provisions and laws themselves¹⁸⁶.

2) All in the Name of Development

Grounds for the Pathalgadi movement were laid when the Jharkhand government organised a global investors' summit titled “Momentum Jharkhand” in Ranchi on 16–17 February 2017. Replenishing the colonial tradition, it aimed at making the state a hub for investments in mining and industries and a number of memoranda of understanding (MoUs) were signed¹⁸⁷. The Government started a “land bank” policy in which it included thousands of acres of non-cultivable land, to be given away to the companies for “development purposes”. Given that Adivasi people had experienced land alienation and displacement at the hands of the colonial and Indian government, they saw these announcements as renewed attempts to take away their land.

3) Restoration of Tribal Land in Jharkhand

Ramesh Sharan offers a thorough account of how Adivasis in Jharkhand were and continue to be alienated from their land, despite legal provisions designed to address the multiple problems they face. Sharan provides a comprehensive 12-point strategy to restore the relationship both Adivasis and non-Adivasis have with their land. One component of this strategy seeks to address the issue of acquiring land for public purposes.

¹⁸⁵ <https://www.epw.in/engage/article/pathalgadi-movement-nation-autonomy-rights-ativasi-jharkhand>

¹⁸⁶ <https://www.epw.in/node/155441/pdf>

¹⁸⁷ <https://www.epw.in/node/155441/pdf>

The largest amount of land has been acquired for public purpose and practically half of this has been taken from Adivasis. In comparison, only 25 per cent per cent of Adivasis were rehabilitated. In a large number of instances no compensation was paid for decades. The use of the principle of eminent domain to acquire land thus seems to many to be grossly unjust... There should be no displacement without prior acquisition; the resettlement and rehabilitation should be for the entire population living within the ecosystem acquired and not just the losers of private land; the area requisitioned should be subjected to social audit; rehabilitation should cover social, religious, economic and psychological aspects; and the land losers should be given a stake in the command areas and the industries created.

4) Forms of Landholding and Safeguards for Adivasis

Two acts—the Chotanagpur Tenancy Act (CNT) enacted by the British in 1908 in response to the Birsa Movement and the Santhal Parganas Tenancy Act (SPTA) passed in 1949—regulate and largely prohibit the transfer of tribal land to non-tribals and protect community ownership. As a result, Nitya Rao writes that most Santhals have some landholding, albeit often small due to division and sub-division over generations. A range of tenancy and sharecropping arrangements have emerged.

The most common form is land mortgage, locally termed “bhorna” or “miyad”. In this form, grain or money is borrowed during times of need, and a proportionate amount of land given for the crop season. Linked to poverty and indebtedness, bhorna is widespread in most villages¹⁸⁸.

During BJP's rule in the State, the then Chief Minister Raghubar Das at the Jharkhand assembly passed amendments to both acts in late 2016 to be able to acquire adivasi land for “development projects.” While widespread protests compelled the government to withdraw the bills, Nitya Rao's research found that loopholes and infringements of the acts allowed for the transfer of land.

From 2001 to 2005, however, there had been considerable transfer of land through privately negotiated, temporary lease arrangements for stone quarrying and crushing, from adivasis to outside contractors. This has no doubt helped generate local employment, yet has raised issues in relation to the terms of employment, health hazards, the destruction of common property and the long-term implications in terms of the sustainability of local livelihoods. Rather than regulating such mining, in line with its new industrial policy and Vision 2010, the government is supporting such initiatives¹⁸⁹.

¹⁸⁸ <https://beaconias.com/the-pathalgadi-movement-and-ativasi-rights/>

¹⁸⁹ <https://www.epw.in/engage/article/pathalgadi-movement-nation-autonomy-rights-ativasi-jharkhand#:~:text=A%20range%20of%20tenancy%20and,given%20for%20the%20crop%20season>

5) Conceiving and Implementing the PESA Act

The Pathalgadis display excerpts from the PESA Act, an act that Nandini Sundar argues was designed to encourage a form of governance that built on local traditions of participatory democracy. The act was passed in 1996 largely based on the recommendations of the Bhuria committee. The recommendations sought to build upon local customary laws and indigenous structures, and to empower Adivasis against displacement and exploitation by equipping the Gram Sabha with various powers.

The committee envisaged a four-tier structure (rather than the usual three) consisting of Gram Sabhas with traditional village councils or nominated heads, village panchayats, intermediate panchayats and district councils: “the Committee felt that while shaping the new Panchayati Raj structure in adivasi areas, it is desirable to blend the traditional with the modern by treating the traditional institutions as the foundation on which the modern supra-structure should be built. (Summary, para 2)¹⁹⁰ ... [The act's] watered down requirement of consultation before land is acquired (as against the consent that the Bhuria committee had recommended), the absence of any structure that could include traditional supra-village levels like the Pargana or Parha, or the absence of any effective mechanism to override the forest and police departments. On the positive front, PESA gives the Gram Sabhas (or panchayat at the appropriate level) a number of specific powers. Three that are significant are the ownership of minor forest produce, the power to prevent land alienation and restore land to scheduled tribes, and the power to control money lending¹⁹¹.

Pathalgadi Movement, sedition charges by State's BJP Government and now

The 10,000 Adivasis accused of sedition constituted two percent of Khunti district's population. The actual number of sedition-accused in the district could, in fact, be higher since it was widely believed that there were more than just 19 FIRs against Pathalgadi supporters

The 19 FIRs that were examined identified 132 people by name, many of whom were named in multiple FIRs. Forty-three of the accused were village chiefs. The rest were “unknown”, which had created a chilling effect in the district as villagers feared the police could indiscriminately implicate anyone in the cases in the future.

Strikingly, Khunti district is home to two of the most popular historical figures from Jharkhand. The adivasi iconic hero, Birsa Munda belonged to Khunti was killed in 1900 at the young age of 25 after he led a powerful rebellion against the British. The

¹⁹⁰ <https://beaconias.com/the-pathalgadi-movement-and-ativasi-rights/>

¹⁹¹ <https://www.epw.in/engage/article/pathalgadi-movement-nation-autonomy-rights-ativasi->

The other is Jaipal Singh Munda, a charismatic hockey player who led India to a gold medal in the 1928 Olympics and went on to become one of the most prominent Adivasi voices in the Constituent Assembly that ratified the Indian Constitution in 1950¹⁹². Seven decades later, Adivasis said they were being hounded for invoking the Constitution to protect their land rights.

In its first decision, after being sworn in as Jharkhand's Chief Minister Hemant Soren in 2019 dropped all cases filed against supporters of the Pathalgadi movement in 2017 and 2018.

VIII

FRA 2006 and its dismally slow implementation, as injustice continue...

Jharkhand has a vast tract of forest area and there is a sizeable population of adivasis and traditional forest-dependent communities. It is among the prominent states for the implementation of the Forest Rights Act (FRA). In the state, activists and scholars espousing the cause for the forest rights of the adivasi and traditional forest-dwellers, raise some ambiguities in the Act alongside, it's faulty implementation. The communities control over forests and its protection and thwarting the land mafias and corrupt officials from damaging the forest are not recognized. Forest bureaucracy in tandem with the district administration creates hurdles in filing the Community Forest Resource (CFR) Rights claims. The villagers are not provided even the minimum support for filing CFR claims. Most worrisome are consistent reports of massive irregularities as the lowest officials in Forest department indulging in corruption. Forester and forest guard selling the CFR and individual claims forms though being it free of cost as villagers have to cough up money and even they have to pay 'approval fee' during the measurement of land and other processes. Now consider this: community rights under the Act include the right to collect minor forest produce, like bamboo and tendu leaves, which accounts for half the forest department revenue. Reason enough for states to scuttle community rights, which the Centre is trying desperately to enforce¹⁹³.

The implementation of FRA 2006 in Jharkhand has been the most shameful one as compared to other states. The progress is horribly slow and fractured. But more importantly, the implementation process and its outcome have been causing more injustice rather than doing away with it. The average land under cultivation recognised under the Act has been only 2.46 acres per family, much lower than what

¹⁹² <https://scroll.in/article/944116/10000-people-charged-with-sedition-in-one-jharkhand-district-what->

¹⁹³ <https://www.downtoearth.org.in/coverage/forests/how-government-is-subverting-forest-rights-act-2187>

was claimed. No family, consisting of at least five members can live in the forest on this paltry and un-irrigated land. The District Administration and the Forest Department distributed an unwarranted 'record of rights recognition' to some villages in Godda District of Santhal Parganas that allowed the villagers only to pluck Tendu and Sal leaves, consume Mahua flower and fruits and undertake sericulture. No community forest resources rights have been recognised. It is quite clear now that not only the Forest Department but the District Administration is also involved in frustrating the Act in the state¹⁹⁴.

Sanjay Bosu Mallick of Jharkhand Jungle Bachao Andolan (JJBA) has played an important role in the Forest Rights Act (FRA) brought in 2006, which despite its flaws and weakness forced the Government to recognize community rights of adivasis all over India. However, like all other well intentioned Indian legislations that could have dented the interests of the profit driven system, this Act also suffers from lack of implementation¹⁹⁵.

The JJBA started in 2000 as a grassroots movement for restoration of forest rights for the adivasis, provides them a common platform for sharing of experiences, coordination and cooperation in Jharkhand. As a result, adivasis of Jharkhand have become conscious of their rights, as well as the importance of forest conservation. They have started to act and make demands, to confront and challenge forest officials, contractors and the timber mafia, and they have filed a case at the High Court of Jharkhand to restore the Mundari Khuntkatti villages' rights over their ancestral forests.

Hemant Das of Jharkhand Mazdoor Kisan Union (JMKU) has prepared a detailed report of villages based on the RTIs filed by the local community against the process of harassment and threatened eviction of local communities despite them having filed claims for Individual Forest Rights (IFR) and submitting the necessary proof of cultivation prior to the cut-off date of 13th December 2005 and CFR claims under FRA including the right to collect minor forest produce, like bamboo and tendu leaves. Reason enough for states to scuttle CFR, which the Centre is trying desperately to enforce¹⁹⁶.

Forest department consider adivasis or forest-dependent communities' as encroachers on the land, which they have been living for generations. Even after filing IFR claims under the provision of FRA, villagers were booked under Bihar Public Land Encroachment Act, 1956 for tilling the land, which their forefathers followed by generations cultivating for centuries. Agriculture has been their sole livelihood option but constant harassment by the forester and forest guard for tilling

¹⁹⁴ <https://www.downtoearth.org.in/coverage/forests/how-government-is-subverting-forest-rights-act-2187>

¹⁹⁵ <http://www.socialism.in/?p=1753>

¹⁹⁶ <https://www.barandbench.com/columns/policy-people-forest-rights-act>

the land, then followed by court cases or arrests has forced many men and women migrate to Tamil Nadu, Kerala, Chhattisgarh or other states in search of livelihood. Many among them have taken bail and left the village out of desperation. But still then, they can't escape the harassment, when they return to the village taking vacation from their work for meeting their families again they are booked as encroachers. Whatever they earn the amount is spent on getting the bail bond. Many of the villagers are facing 8 to 10 cases that too booked in a year. Pushed to such circumstances, they have sold their domesticated animals, jewellery, utensils or saved earning in the false cases¹⁹⁷. In each case, the villagers have been fined to the tune of Rs. 1 to 10 lakh. Even after the enactment of FRA in 2006, there is no respite for them.

Whenever the villagers try to till their land the forest department becomes active and puts its all efforts in turning them into encroachers booking them by framing frivolous charges against them¹⁹⁸. It's breaking their backs and pushing the adivasis and forest dependent communities to the condition of servitude.

However, the Forest Department in tandem with the district administration have been constantly trying to banish the adivasis or forest-dependent communities from the forest. They have working as 'land mafia'. FRA is grossly violated in Palamau, Garhwa and Latehar districts, which are the most backward districts of India. In such challenging conditions, JKMU has been trying to get them all the legal assistances, within its reach¹⁹⁹.

Forester and forest guard in collusion with timber mafia are indiscriminately cutting the trees. They shift the blame on adivasi villagers or traditional forest-dwelling communities in order to punish by extracting exorbitant fines from them. The intimidation of the impoverished villagers continues unabated. In the last 3 to 4 years they have been terrorized in such a way, that out of desperation, many of the men had migrated to other states in search of livelihood. Forest bureaucracy has been trying persistently to trample down the adivasis and forest dependent communities by violating all the provisions of FRA. Majority of the villagers it was amply made clear that the lands, which their forefathers earlier and now they have been tilling for generations, are harassed and intimidated. The FRA was passed in December 2006 to recognise the rights of the tribals and traditional forest dwellers, who had been treated as 'encroachers' until then. Still now, it continues in many of the villages. The law claimed to right the historic wrongs committed against forest dwellers in India. Even after its enactment 14 years back, the Forest Department has been assiduously trying to hold its bastion, which they have been holding for 73 years, they would try to forestall all the attempts so that it doesn't go in the hands of

¹⁹⁷ <https://www.downtoearth.org.in/coverage/forests/how-government-is-subverting-forest-rights-act-2187>

¹⁹⁸ <http://www.socialism.in/?p=1753>

¹⁹⁹ <https://www.barandbench.com/columns/policy-people-forest-rights-act>

the Gram Sabha.

The arbitrarily declared unplanned lockdown across the country brought hardships to several sections of the society, but Adivasis and forest-dwelling communities have been among the worst hit. According to the activists who work for land rights, policy decisions for forest diversion taken during the COVID-19 lockdown, which potentially dilute the Forest Rights Act, 2006 (FRA) and undermine the decision-making authority of the Gram Sabhas, is the biggest threat faced by the communities²⁰⁰.

FRA requires completion of the recognition and vesting of forest rights, and obtaining free prior informed consent of Gram Sabhas before diversion of forest lands, which has been specified in the Ministry of Environment, Forests and Climate Change (MoEFCC)'s own guidelines (2009), the Forest Conservation Rules (2016), and also upheld by the Supreme Court in the landmark Niyamgiri judgment (2013)²⁰¹.

IX

Adivasi women woes have increased

Adivasi women face trafficking, migration, unemployment, deforestation etc. as the transformation of agrarian economy to mining economy degrades women's economic, social and cultural status. Hence non-existent social evils like wife battering, alcoholism, indebtedness, physical and sexual abuse, prostitution, polygamy and desertion are common in the mining region. The patriarchy gets reinforced when mining industry downplays this brutal transformation wreaking havoc on women. Women marketed as vulnerable, entertaining and sexy objects by the media. Trafficking of women in mining and other industries are rampant in districts of Jharkhand²⁰². In Ranchi, still there are placement agencies running the trafficking racket. Adivasi adolescents or women fall to the lure of the agents and are employed as domestic maids in big cities like Delhi and Mumbai. Newspapers and TV channels maintain a 'conspiracy of silence' on the mining stories affecting the lives of Adivasis. Formation of Jharkhand in November 2000 added to the influx and emergence of a new class of exploiters, the contractors, politicians and bureaucrats. The major outflow of resources to the urban market-industrial complex has further uprooted millions of Adivasis and major inflow of non-Adivasis with the skills of expropriation, increased pressure on the land.

²⁰⁰ <https://www.ethicoindia.com/forest-rights-have-been-crushed-during-lockdown-say-activists/>

²⁰¹ <https://www.newsclick.in/forest-fights-crushed-during-lockdown-activists>

²⁰² https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

The root cause of all sorts of exploitation, which girls are subjected to and from adolescence onwards, is illiteracy²⁰³. Disparity between the genders, particularly in rural areas, is a reflection of the social attitude of discrimination towards the girl child. Social and cultural traditions perpetuate the disadvantages deriving low status early marriage, poor health and poor nutrition. Girls don't go to school because of distances, inflexible timings, irrelevant and gender-insensitive curricula. First, solving these problems and implementation of compulsory education for girl has to be sorted out. Technical education can be an effective entry point to women's economic and overall empowerment. The level of mother's education is a vital factor in determining infant and child mortality. Education leads to direct economic benefits in the form of higher lifetime earnings for women while the society and community also benefit from higher productivity of its labour force. Female education also leads to greater ability on part of females to communicate with their spouses on birth control²⁰⁴.

Even after dream of *abua deshum* (our country) became a reality for the Adivasis of the state, the Adivasis face brutal detachment from *Jal, Jangal and Zameen* (Water, forest and land). Women bear the brunt of social and ecological paradoxes as a result of displacement²⁰⁵. The practice of witchcraft pushes women to the condition of servitude. When women from villages and *moffusil* come to the cities in search of job, then either falls in the trap of the trafficking racket. Traffickers have carved out specific territories for themselves. Many mine owners procure adolescent girls and women by using women traffickers for liaison.

Women or men *dalaals* (agents) go deeper into impoverished villages and pick up adolescent girls or women. They go into 'labour catchment' villages during festival time and contact village *pradhan*, *panch* or influential men or any women who liaises for them with the parents of adolescent girls for procuring them for road construction, stone crushing mines or brick kiln units. They induce the parents to send their wards to work in the city assuring them a sizeable wage. But it happens the opposite²⁰⁶.

Women employed in mining range between the age of 25 and 35 years, walk 10 to 20 kilometres from their villages to gather at the main square of Dumka and Pakur districts of Santhal Pargana region, to earn their day's meal. Slowly potential employers come to the square, walk around talking to the labour and decide whom to employ. Then they pick up women and men, for working in the stone crushing mines. Most of the employers are crafty and clever who try to extract more work

²⁰³ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose)

²⁰⁴ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND

²⁰⁵ <https://www.jstor.org/stable/4406173?seq=1> Women's Labour and Migration: The Case of the Santhals

²⁰⁶ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose)

work from the labourer by pushing back their clocks²⁰⁷. If women stop work to drink water or relieve themselves, their employers even taunt them. They rebuke them, while simultaneously entices women labourers to provide the employers some personal services²⁰⁸. Sexual abuse is a constant fear gnawing at the women labour. If women refuse the employer then they scold them for not working well and pay them less which were agreed upon as a wage. As it is, a woman's wage is less than that of a male labourer. Apart from Santhali women, Muslim and Pahariya and Birhor women also work in the stone crushing mines. Barharwa in Sahebganj, bordering West Bengal and Bangladesh adolescent girls and women are trafficked. Dalaals of the trafficking racket operate in collusion with the local police and there is illegal infiltration from Bangladesh, too. Dumka and Pakur, predominantly Santhali districts where women tend lose from all sides. Deprived from inheriting land and quite victims of polygamy, thrown out of the house without maintenance, a large number of Santhali women are forced to lead unimaginably hard lives, with hardly any resource support²⁰⁹.

Hapless, battered and dejected Santhali women have no other option left but to fall in the trap of the traffickers deployed by stone crushing mines or other mines. There is miserable plight of adolescent girls or women selling coal at a Coal Market in Girdih. Many of buyers ask about the price of the girl along with the coal loaded in a basket. Pushed to impoverished condition, they keep mum by stomaching all the humiliations. Females selling coal in the market have to bribe the police, if they refuse then they would be intimidated, terrorised or put behind the bars²¹⁰.

Central Industrial Security Force (CISF) deployed for security of the coal mines help in the theft of coal from the mines²¹¹. CISF jawans demand money for allowing men or women for lifting the coal from the mines. Tribal girls have to shoulder the burden of the family and face physical and sexual abuse in her workplace, home and outside.

Physical and sexual assault at the mining areas is high because most of them work without their husbands and families. Women and girls are picked up by single men or by groups and dumped after being used. Such incidents are becoming common in brick kilns and mining areas²¹². With the influx of outsiders, destruction of forests and erosion of primary economic activities- agriculture and collection of forest

²⁰⁷ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

²⁰⁸ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

²⁰⁹ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

²¹⁰ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

²¹¹ https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

²¹² https://www.academia.edu/3371485/DO_MEDIA_HAVE_A_SPACE_FOR_WOMEN_TRAFFICKED_IN_MINING_IN_JHARKHAND Authored by Tarun Kanti Bose

produce - gender equilibrium has gone for a toss in Dumka and Pakur districts. As women form the bulk of the active workforce in the tribal society, they have been sucked into underbelly of progress.

X

Father Stan Swamy, UAPA and Institutional Murder

Father Stanislaus Lourduswamy, popularly known as Stan Swamy, a human rights defender and Jesuit priest working for adivasi rights for over 30 years was arrested by National Investigation Agency (NIA) on Elgar Parishad – Bhima Koregaon case on 8th October 2020.

Father Stan Swamy based in Jharkhand, who defends the rights of Adivasis is the founder of the Vistapan Virodhi Janvikash Andolan, an all-India platform that works to secure and protect the land rights of Adivasi and Dalit peoples. Stan Swamy has been a prominent advocate against the enforced displacement of Adivasi communities, which typically occurs for development purposes or for mining mineral rich lands²¹³. Currently being held at the Taloja Jail in Mumbai, is among the fifteen other human rights defenders who have been arrested over the past two years for their alleged involvement in the violence that broke-out at Bhima Koregan on 1 January 2018.

On 16th February 2021, Father Solomon, Director of Bagaicha Social Centre in Ranchi, said “Stan Swamy, had told the NIA on at least four occasions during his interrogation that fake evidence had been planted on his computer. During Stan Swamy's interrogation in Ranchi by the NIA between July and August 2020, told the agency at least on four occasions that he disowned the documents cited by the agency as incriminating, and that such documents might have been "intercalated" (to insert among existing elements), said Father Solomon, Director of Bagaicha Social Centre in Ranchi.

Some letters by the Lokmanch had been edited and words had been added or inserted. For instance, a letter started with the greeting of 'Johar' that is common in Jharkhand²¹⁴. But the unusual word Lal' had been added. This made Stan raise questions on the authenticity of the documents, Solomon added.

Several activists incarcerated on fabricated charges in the Elgar Parishad-Maoists link case, which the United States based digital forensics firm's report punched a major hole in the concocted cases as the prosecutor consistently relied on electronic

²¹³ <https://www.frontlinedefenders.org/en/case/human-rights-defender-stan-swamy-detained-national-investigation-agency>

²¹⁴ <https://www.outlookindia.com/newscroll/fr-swamy-told-nia-about-planting-of-evidence-says-colleague/2030814>

evidence in the case to oppose bail pleas, seek extension of custody etc. An independent probe should be conducted into the malware report and the 16 jailed for raising the voice of the marginalised be granted bail immediately and released.

83-year old Father Stan Swamy, whom I used to meet during Jharkhand visits at Chaibasa- based Jharkhandis Organisation for Human Rights (JOHAR) office or at Ranchi's SDC during workshops on Koel Karo Movement, I found him the gentlest and kindest human being I have ever met. His arrest under UAPA is shocking and preposterous. Who knows him closely, would find that Stan Swamy believes in non-violence and his integrity is above reproach. He is oldest among all the 16 arrested and incarcerated for years together under UAPA on fabricated and concocted charges. Their fault is that they have been serving the marginalised and voiceless forsaking their careers and comforts.

Xavier Dias, who has been close to Father Stan since he came to Jharkhand said, “You have to first understand that people of Jharkhand for 150 years they have been organising movements against colonialism-imperialism, which they understood then. Stan Swamy was the person, who came and stood by them. Stan helped them to understand colonialism better thereby the Adivasis enhanced their thinking and their ability to fight back. I don't go with the argument that Stan is 83 year old, he is a patient and he is a priest, all these things. Stan Swamy is a political person and by his long associations and activities with the movements, he has now become the icon of the movement and I have seen there has been no demonstration, which Stan has not attended. Any demonstration on Albert Ekka Chowk in Ranchi, Stan was there. He was one of the few, who cared to come out in the open and ask for the release of Dr Binayak Sen, when other human rights organisations were slightly apprehensive and were still thinking of coming out in open. In that way, I think Stan Swamy is an important person and the Indian State wants to crush him. Here I think, it's not only the State, there is certain group within the centre's ruling party that has done all the research, drafting of the First Information Reports (FIRs) and they are doing with vengeance against Stan Swamy and all other 16 activists, lawyers, academicians, poet and journalists, who are best of the brains, which India can be proud of. If you see Sudha Bhardwaj, Gautam Navlakha, Varvara Rao's cases as Anand Teltumbde has been arrested as he is grandson-in-law of Dr Babasaheb Ambedkar that is very clear. The strategy that National Investigation Agency (NIA) has taken is bound to fail. Well what they have succeeded in creating a torture chamber for this people. It's a slow way to the guillotine if combined with the arrest of Disha Ravi and farmers' movement. But, this is again to backfire immediately.

produce - gender equilibrium has gone for a toss in Dumka and Pakur districts. As women form the bulk of the active workforce in the tribal society, they have been sucked into underbelly of progress.

On 9 October 2020, the day after the NIA arrested Father Stan Swamy, a group of 125 activists assembled at Ranchi's Albert Ekka Chowk holding placards demanding his release. Their spirit intensified as Jharkhand Chief Minister Hemant Soren tweeted, on the same morning, against the BJP-led Central Government. Soren asked, referring to Stan Swamy, “What kind of stubbornness is this to suppress every protesting voice raised against you [BJP]?”²¹⁵

Father Stan Swamy has a core of steel, an indomitable strength that comes with moral conviction and a commitment to truth and to the powerless. His fellow Jesuits who rushed to the prison with his medicines, say he has refused even a sip of water.²¹⁶

Since 1986, Father Stan Swamy when he came to Jharkhand, he has been raising awareness among Adivasi community for their rights guaranteed under the Indian Constitution, especially their rights provided in the Fifth Schedule and their right of self-governance through Gram Sabhas as provided in Panchayats (Extension to Scheduled Areas) Act (PESA). Stan has also tried to make the Adivasis aware of the judgment of the Supreme Court that “the owner of the land is also the owner of the subsoil minerals“. He has also raised his voice against the formation of a 'land bank' that intends to take over the “commons” such as roads, rivers, ponds, burial grounds and community forest lands which are traditionally used by the community.

However, behind the concoction against Father Stan along with Sudha Bhardwaj was that he has been the Convenor of Persecuted Prisoners Solidarity Committee (PPSC), which was formed in December 2015. PPSC was formed purely to help under trial prisoners and has no link whatsoever with Maoist. Stan Swamy had filed a Public Interest Litigation (PIL) in the Jharkhand High Court for the speedy trial of under trial prisoners languishing in the jails of Jharkhand. Taking serious note of Stan Swamy's PIL, the High Court on January 8, 2020 ordered the state of Jharkhand to provide all relevant and necessary information from every jail, which must have revealed the reasons for undue delay in the trial of these under trial prisoners. The proceedings in that PIL were still on going in the High Court, when he was arrested.

Father Stan's activities angered the powerful interests within the Government. They have not only foisted a case of sedition against him in Jharkhand, but also included him in a false case that links him with banned organisations in order to discredit him together with other intellectuals, legal professionals and social activists raising their voices for the rights of the poorest, not just in Jharkhand, but all over India.

²¹⁵ <https://www.newsclick.in/Protests-Against-Stan-Swamy-Arrest-Show-Nation-the-Way>

²¹⁶ <https://thewire.in/rights/the-indomitable-spirit-of-father-stan-swamy>

Father Stan Swamy since when he came to Jharkhand, he had identified himself with the adivasi people and their struggle for a life of dignity and self-respect. As a writer, he had tried to analyse the different issues Adivasis confronted. In this process, Stan Swamy had clearly expressed his dissent over several policies and laws enacted by the Government in the light of the Indian constitution questioning the validity, legality and justness of several steps taken by the Government and the class-in-power.²¹⁷

Father Stan had questioned the non-implementation of the 5th Schedule of the constitution, Article 244(1), which clearly stipulates that a 'tribes advisory council' (TAC), composed solely of members from the adivasi community, will advise the governor of the state about any and everything concerning the protection, well-being and development of the adivasi people in the state.

The Governor is the constitutional custodian of the adivasi people and he/she can make laws on his/her own and can annul any other law enacted by the parliament or state assembly, always keeping in mind the welfare of the adivasi people. Whereas the reality is that in none of the states, during all these nearly seven decades, has any state governor ever used his/her constitutional discretionary power to reach out to the adivasi people proffering the excuse that they have to work in harmony with the elected government of the state. The meeting of the TAC takes place rarely, and it is convened by and presided over by the chief minister of the state and is controlled by the ruling party. TAC has thus been reduced to a toothless body and certainly a constitutional fraud meted out to the Adivasi people²¹⁸.

Father Stan Swamy, who actively participated in all the Adivasi struggles of Jharkhand had questioned on the following issues:

- Why the Panchayats (Extension to Scheduled Areas) Act (PESA), 1996, has been ignoring which for the first time recognised the fact the Adivasi communities in India have a rich social and cultural tradition of self-governance through the Gram Sabha²¹⁹. Whereas the reality is PESA has deliberately been left unimplemented in all nine states. It means the ruling capitalist class does not want Adivasi people for self-governance.
- The silence of the government on Samatha Judgment, 1997, of the Supreme Court which came as a huge relief to the Adivasi communities in Scheduled Areas. It came at a time when consequent to the policy of globalisation, liberalisation, marketization and privatization. National and international corporate houses started to invade Adivasi areas in central India to mine the mineral riches. The Government machinery gave its full cooperation to these

²¹⁸ <https://thewire.in/rights/pathalgadi-movement-ativasis-stan-swamy-sedition>

²¹⁹ <https://sanhati.com/articles/18646/>

- companies. Any resistance by the adivasi people was put down with an iron hand. The judgment was meant to provide some significant safeguards for Adivasis to control the excavation of minerals in their lands and to help develop them economically.
- In reality, the state has ignored the verdict of the Supreme Court. Several cases have been filed by affected communities, but the 'law of eminent domain' of the colonial rulers are invoked to alienate adivasi land and to loot the rich mineral resources²²⁰.
- The half-hearted action of government on the Forest Rights Act, 2006. “Jal, jungle, zameen”, are the basis of the economic life of the adivasi people. Their traditional rights in the forest have been infringed upon systematically over the decades. At long last, the Government realised that a historic injustice has been done to the adivasis and other traditional forest-dwellers. To correct this anomaly, it enacted this Act.
- The inaction of the Government to carry out the Supreme Court order that the 'owner of the land is also the owner of sub-soil minerals'. In the order, the court said, “We are of the opinion that there is nothing in the law which declares that all mineral wealth sub-soil rights vest in the State, on the other hand, the ownership of sub-soil/mineral wealth should normally follow the ownership of the land, unless the owner of the land is deprived of the same by some valid process.”
- The reasons why the SC observation is being ignored that “mere membership of a banned organisation will not make a person a criminal unless he resorts to violence or incites people to violence or creates public disorder by violence or incitement to violence”. The court rejected the doctrine of 'guilt by association'²²¹.
- The enacted amendment to the Land Acquisition Act, 2013, by the Jharkhand Government which sounds a death knell for the adivasi community. This does away with the requirement for “social impact assessment' which was aimed at safeguarding the environment, social relations and cultural values of affected people. The most damaging factor is that the government can allow any agricultural land for non-agricultural purposes. So any and every thing can be included²²².
- The 'land bank' which was the most recent plot to annihilate the adivasi people.

²²⁰ <https://www.hindustantimes.com/delhi-news/ownership-of-mineral-wealth-lies-with-owner-of-land->

²²¹ <https://timesofindia.indiatimes.com/india/Just-being-member-of-banned-outfit-not-a-crime>

²²² <https://www.supremecourt.org/press-releases/2013/07/11/13-0001>

<https://www.counterview.net/2020/10/standwithstan-its-about-constitution.html>

However, during 'Momentum Jharkhand' in February 2017, the government announced that 21 lakh acres in the land bank, of which 10 lakh acres was ready for allotment to industrialists. People were in dark that their land is being written off. The TAC has not given its approval as is required by the Fifth Schedule. The respective Gram Sabhas have not given their consent as required by the PESA Act. Affected adivasi people have not given their consent as required by Land Acquisition Act.

Father Stan Swamy had consistently raised questions if that made him a 'deshdrohi' then so be it!²²³

Protests have been brewing up against Father Stan Swamy's arrest²²⁴. Though it was happening at every place in Jharkhand—Bokaro, Jamshedpur, East and West Singhbhum, Gonda and Giridih There have not been a heavier turnout because people fear stepping out in crowded places and contracting Covid-19.

People might have feared there could be consequences for protesting against the Central Government.

Advocacy groups, in most circumstances, lack the wherewithal to mobilise people against the state's violation of civil rights²²⁵. With the media tamed and the judiciary failing to provide succour, only political parties can emerge as a counterfoil to the state's imperious behaviour.

Xavier Dias explains, “Political parties do not know how to respond when an issue is framed in national security terms.” Thus, Opposition parties did not want to be dubbed as anti-national on the Kashmir issue. They have not intervened in the Bhima Koregaon case because they did not want to be seen as supporting “urban Naxals.” Likewise, with the anti-CAA protestors booked under UAPA, the Opposition parties are wary of being seen as supporting a group accused of conspiring to defame India.

By contrast, Sudha Bhardwaj or Gautam Navlakha—both accused in the Bhima Koregaon case—have spent years to give a voice to marginalised groups. Their intervention involves mounting pressure on the state to fulfil its constitutional obligations towards citizens. They do not emphasise the Dalit-ness of citizens, but their Indian-ness; they focus upon their class, rather than caste or religious, identity. While a Bhardwaj's social group will see her politics a threat to its interests, parties espousing the Dalit cause will perceive her caste identity as having little appeal for their supporters.

²²³ <https://thewire.in/rights/pathalgadi-movement-adivasis-stan-swamy-sedition>

²²⁴ <https://www.newsclick.in/Protests-Against-Stan-Swamy-Arrest-Show-Nation-the-Way>

²²⁵ <https://www.newsclick.in/Protests-Against-Stan-Swamy-Arrest-Show-Nation-the-Way>

This connection between civil rights and the politics of identity has led to the tragic loneliness of academician and activist Anand Teltumbde, another accused in the Bhima Koregaon case. He is married to the granddaughter of BR Ambedkar, whom all parties wish to appropriate. Yet even Bahujan Samaj Party leader Mayawati has not forcefully spoken against his targeting. Why?

This is because Teltumbde does not subscribe to the traditional form of Dalit politics. He believes the “core character of caste is like amoeba. It only knows splitting”. In a conversation with this writer in 2018, he explained, “Unless Dalits transcend caste and forge a class unity with other marginalised people, their struggle can never reach a fruition.” This is the primary reason why the Ambedkarites have not expressed their fury over the mistreatment of Teltumbde.

By contrast, Jharkhandis have publically expressed their solidarity with Father Stan Swamy, whose politics is that of Jal, Jungle and Zameen. He would write articles in newspapers to inform Adivasis of their rights. Has there been any priest of any religion raising socio-political issues? Father Stan Swamy is far more than [just] Christian to all of the Jharkhandis. Jharkhand has shown the way to the nation to break the connection between the politics of identity and civil rights.

On 18th February 2021, when contacted Bagaicha at Namkum, in Ranchi came to know that 6 days have passed NIA has come down from Pune, Maharashtra harassing and terrorising those who have been working closely with Father Stan Swamy's in Ranchi. NIA is hell bent in extracting evidences against Father Stan.

On 5th July 2021, Father Stan Swamy breathed his last at Holy Spirit Hospital in Mumbai. Coincidentally at that time, when his bail petition was being heard by the Court. Arrested in October 2020 during the pandemic and was in Taloja prison on the charge of Bhima Koregaon case. He was 83 year old, when he was arrested to have been accused of terrorism by NIA and was in prison under the draconian UAPA law, in which the hearing of the case is not time bound and the person can be incarcerated for long time, without any tangible reason.

Mary Lawlor, Special Rapporteur on Human Rights Defenders, who had been raising her concerns since Father Stan Swamy's arrest in connection with the Bhima Koregaon case but Indian Government kept mum and didn't respond.

After Father Stan's 'institutional murder', which was plotted by BJP led Central Government and RSS, executed by NIA right under the nose of National Human Rights Commission (NHRC) and Court Mary Lawlor said, “The news from India today is devastating. Human Rights Defender and Jesuit priest Father Stan Swamy has died in custody, nine months after his arrest on false charges of terrorism. Jailing Human Rights Defenders is inexcusable,” said Ms. Lawlor. The U.N. official exp-

-ressed concern about the deteriorating health condition of Father Stan Swamy. She had described the charges against the Jesuit priest as “unfounded”²²⁶.

On Father Stan's 'institutional murder' Viren Lobo, Ecologist and Livelihood Expert through his poem has paid his solemn tribute, in a most befitting manner. As the poem says:

Long live Stan Swamy
A beacon light for Adivasis to follow
To bring in the world of tomorrow
The picture of Jesus crucified on the \$
The politics of neo colonialism
Brought about by finance Capital
Control of natural resources the key
Criminalisation of the people
And if that not enough then State enemy
So whose State is this?
The State of the people
Or the State of the Capitalist

Stan has shown that religion need not be subservient to State politics

The Beatitudes taught by Jesus
Blessed are the meek and humble
To the power of nature
To living in harmony with nature
As Adivasis do
So Stan Swamy may you live forever
In the minds and hearts of the adivasis you worked for
As a candle that lights up the darkness
Showing us the way ahead.

²²⁶ <https://www.thehindu.com/news/national/other-states/fr-stan-swamy-was-jailed-on-false-charges-says-top-un-official/article35156145.ece>

4

Chhattisgarh, *a new state formed to continue age old rulers' tradition to grab Adivasis land and continue repression...*

Chhattisgarh was formed on 1st November 2000 by partitioning 16 Chhattisgarhi-speaking south-eastern districts of Madhya Pradesh. Raipur was made its capital. Chhattisgarh borders the states of Madhya Pradesh in the north-west, Maharashtra in the south-west, Andhra Pradesh in the south, Odisha in the east, Jharkhand in the north-east and Uttar Pradesh in the north²²⁷. The state is divided into 27 districts. Raipur, Bilhail, Durg, Bilaspur, Korba and Rajnandgaon are the major of Chhattisgarh cities. Bastar plateau, Chhattisgarh plains and Northern hills are the prime geographical landmarks that have been marked as the productive areas of Chhattisgarh agriculture. Paddy, maize, jowar, groundnut, gram, and wheat are major crops grown in Chhattisgarh²²⁸.



Map of Chhattisgarh

²²⁷ https://en.wikipedia.org/wiki/Outline_of_Chhattisgarh

²²⁸ <https://j.vfhne.site/650.html>

Agro-Climatic Zones of Chhattisgarh

The Chhattisgarh State divided into 3 Agro-Climatic Zones based on the different²²⁹. Agro Climatic factors that is, rainfall and soil available of irrigation.

- The Chhattisgarh Plains is an increase in soil depth, water holding capacity, Cation exchange capacity (CEC) and preponderance of calcium and magnesium ions. The covered area about 50 per cent in this zone. The soil so developed have been classified in to four soil orders that widely differ in their production potential and physical characteristics. They are locally called, bhata (Entisols), matasi (Inceptisols), dorsa (alfisols) and kanhar (vertisols).
- The Bastar Plateau the land is undulating and hence the soils vary considerably from top of the hillock to the valley. They covered was 29 per cent area by this zone. The soil type in Bastar vary from Marhan (Entisols) to Gabhar (Vertisols). Gabhar is the valley portion of the undulating terrain. In between these two Tikra (Inceptisols) and Mal (Alfisols) soil exist²³⁰.



Agro- Climatic zones of Chhattisgarh

²²⁹ <https://www.scribd.com/document/426586472/chhattisgarh-pdf>

²³⁰ <http://jnkvv.org/PDF/AERC/Study-113.pdf>

- The Northern Hills most common soils are described locally on account of their occurrence, management and physical properties. These region covered are 21 per cent of the total geographical area. These are eroded hilly soils which are covered mostly by forest, Goda/Tikra (light soils), Goda Chawar (Medium), Chawar and Bahra soils²³¹. Chawar soils are found in low land banded fields where rice is grown. In bahra soils (extreme lowlands) water flows continuously till January.²³²

Agro-Climatic Zone and Districts /Tehsils covered in Chhattisgarh (lakh hectare)

Agro Climatic Zone	District Covered	Total Geographical Area
Chhattisgarh Plains	Raipur, Gariyaband, Balodabazar, Mahasamund, Dhamtari, Durg, Balod, Bemetara, Rajnandgaon, Kabirdham, Bilaspur, Mungeli, Korba, Janjgeer, Raigarh & a part of Kanker Districts (Narharpur & Kanker Block)	69.49 (50%)
Bastar Plateau	Jagdalpur, Narayanpur, Beejapur, Kondagaon, Dantewada, Sukma and the remaining part of Kanker Districts	39.94 (29%)
Northern Hills	Sarguja, Surajpur, Balrampur, Korias, Jashpur & Dharamjaigarh Tehsil of Raigarh Districts	28.47 (21%)
	TOTAL	137.90 (100)

II

Adivasis of Chhattisgarh

About 34% of the population in Chhattisgarh are of Adivasis. Most of the resources, particularly the iron-ore, are on Adivasi land, so inevitably the tribal people are being displaced. They live primarily in the dense forests that cover nearly half of the state, and the trees too are very valuable. Private corporations such as Jindal Steel, BALCO Aluminium, TATA and ESSAR are already based in Chhattisgarh, and are keen to expand²³³.

²³¹ <https://docplayer.net/64254628-State-of-agriculture-in-chhattisgarh.html>

²³² <https://docplayer.net/64254628-State-of-agriculture-in-chhattisgarh.html>

²³³ <https://lucycalder.com/india/the-ativasis-of-chhattisgarh/>

The Adivasi population in Chhattisgarh is mostly concentrated in Bastar, Raigarh, Jashpur, Surguja, Koreya, Balrampur, Korba, Kanker, Dhamtari, Janjgir-Champa, Bilaspur, Mungeli, Kabirdham, Mahasamund districts. The Adivasis live mostly in hills and dense forest area, which are not easily accessible. They are mostly backward, poor, illiterate and indebted. The Adivasis possess their own culture, way of life, source of livelihood, religious beliefs, which are quite different from other sections of the Indian communities.

Nine adivasi communities have below 1000 population. Of them, five adivasi communities, namely, Sonr, Damor, Karku, Andh and Bhil Meena are very small having population less than 100. At the district level, Gonds have registered their high population in Bastar, Dantewada, Kanker, Surguja and Raipur districts²³⁴.

Chhattisgarh's Particularly Vulnerable Tribal Groups (PVTG) comprises Baiga, Kamar, Pahari Korwa, Abhujhmaria Pardhi and Birhor adivasi communities. These are the most vulnerable among India's adivasi communities.

Hinduization of Adivasi Communities in Chhattisgarh

Vinayak Damodar Savarkar, popularly known as Veer Savarkar, Hindutva icon, who in his book, *Essentials of Hindutva*, claimed that the “aboriginal or hill tribes also are Hindu because India is their Fatherland as well as their Holy Land”.

Historically, the segregated and hierarchical Adivasis have been marginalized from the mainstream of Indian society through hierarchical caste system. Adivasis have been traditionally treated as outside the caste structure and are seen as entirely impure from within the Brahminical caste order. Adivasi societies, in turn, consider themselves distinct from the majority Hindu population of India, as well as from most other organized forms of religion²³⁵. In post-independence India, the State has further marginalized adivasi communities through a systematic process of alienating them from their lands and resources in the name of “progress” and “development.” The dominant development paradigm is itself antagonistic to the survival of the Adivasis, whose world views are compatible with the emancipation of toiling masses. All structures which are proponents of the development model, whether it is the established big political parties, the state-funded NGOs, rightist reactionary organisations or extremist groups are being increasingly perceived as enemies of the Adivasis.

²³⁴ https://www.censusindia.gov.in/Tables_Published/SCST/dh_st_chhattisgarh.pdf

²³⁵ <https://www.outlookindia.com/website/story/adivasi-vs-varvasi-the-hinduization-of-tribals-in-india/217974>

However, most persuasive argument for including Adivasis as Hindus had come from the British anthropologist Verrier Elwin, who had conducted a study on the Madias of Bastar and found traces of Shaivism in their mythology as written in 'Loss of Nerves'. The religion of the Indian Adivasis outside Assam should be regarded as a religion of the Hindu family, with a special relation to the exciting, dangerous, catastrophic, Shivaite type, but as having a distinct existence of its own. Sociologist GS Ghurye, felt that “tribals' were the imperfectly integrated classes of Hindu society”, that in matters of faith and livelihood, “the so-called aboriginals had lived in fairly intimate contact with Hindus over a long time”²³⁶.

It seems that Elwin and Ghurye's ideas went to inspire the Sangh Parivar to make inroads into Adivasi communities, or vanvasis as they called them, by making a pitch for a return to the “original Hindu fold”, through their adivasi outreach organisation the Vanvasi Kalyan Ashram.

As sociologist Archana Prasad said, “Oral evidence suggests the economy of the Gonds was largely in flux and they were displaced to the plains from the hills and foothills as also from the plains to the forests during and after the Maratha conquests”. She argues that caste Hindu peasants, brought into the region by the Maratha rulers, “slowly edged out adivasi cultivators from all fertile agricultural tracts, and converted them from permanent cultivators to hunter-gatherers”.²³⁷

She claims that in the face of increasing proselytization of the Adivasis by Christian missionaries around the time of independence, Elwin aligned with the Hindu nationalists and paved the way for the Hinduization of the tribal identity.

Today, Hindu observances have silently crept into Madia customs on the back of popular culture like TV serials. The mangalsutra, which had no basis in Madia culture, has become a sought-after accessory among married Madia women.

Women have always enjoyed a higher status in the Madia tribe. Pre-marital sex is not taboo, and it's common and acceptable for a married woman to get divorced and remarry. The custom for Madia men is to live in their wife's house after marriage. But this practice is changing, with many women today moving into their husband's house after marriage.

However, indigenous people all over the world, the India's Adivasis too have been savaged and ravaged by later people claiming to be more “civilized”. They still account for almost 8% of India's population and are easily it's most deprived and oppressed section. Though this is the home of many tribal groups, the largest tribal group, the Gonds, dominated the region. The earliest Gond kingdom appears to date

²³⁶ <https://karbi.wordpress.com/2008/02/26/understanding-the-karbi-folk-religion/>

²³⁷ <https://www.firstpost.com/india/adivasis-and-the-indian-state-caught-between-hinduisation-and-indifferent-govt-madias-of-maharashtra-struggle-to-make-ends-meet-7242111.html>

from the 10th century and the Gond Rajas were able to maintain a relatively independent existence until the 18th century, although they were compelled to offer nominal allegiance to the Mughal Empire²³⁸.

The real enemy of the Adivasi is the creeping Hinduization with all its attendant values and exclusionary practices, seems to a good start to the process of saving its Adivasi society from extinction. All over the rest of India's central highlands the policies by forcing the Adivasis to merge their identities with that of the encroaching culture have crushed them into a becoming a feeble and self-pitying underclass.

There are two distinct reasons for the present unrest in the Adivasi homelands of India. The first and probably the more important one is the struggle for identity against the creeping Hinduization or de-culturization of Adivasi society. Adivasi society was built on a foundation of equality. People were given respect and status according to their contribution to social needs but only while they were performing that particular function. Such a value-system was sustainable as long as the Adivasi community was non-acquisitive and all the products of society were shared. Adivasi society has been under constant pressure as the money economy grew and made traditional forms of barter less difficult to sustain. The RSS and its Hindutva ideology had vested interests in starting to work with the Adivasi communities²³⁹.

However the work of Christian missionaries among the Adivasis in remote areas was a sufficient ground for the organisation to place themselves as the saviours of the Adivasi communities and their culture from the advent of the Christian “foreigners”. The RSS discourse of the Adivasi communities being Hindus who were being converted to Christianity, became a base on which they started working with the tribal communities. As a mark of countering the work of Christian missionaries, the RSS adopted “seva” or “service”— the vision of the Christian missionaries— to reach out to the communities and demonise the missionaries, thereby communalising the communities²⁴⁰.

The Sangh Parivar's efforts to recast Adivasis as vanvasi's is a critical component of their ideological project. Their “Hindu Rashtra” rests on a claim of Hindus being indigenous to India and any other claimants to that slot, as Adivasis are, fundamentally challenges their project of a Hindu Nation.²⁴¹

The reason why the Sangh denies Adivasis the status of the original dwellers is that it runs counter to its own claim that the Aryans, who brought Vedic civilization to the country, are the original inhabitants of the land. Adivasi communities have been

²³⁸ <https://www.outlookindia.com/website/story/adivasi-vs-varvasi-the-hinduization-of-tribals-in-india/217974>

²³⁹ <https://www.slideshare.net/avidas/indias-adivasi-problem>

²⁴⁰ <https://www.newsclick.in/hinduisation-and-social-work-rss-glimpse-akhil-bharatiya-varvasi-kalyan-ashram>

²⁴¹ <https://www.outlookindia.com/website/story/adivasi-vs-varvasi-the-hinduization-of-tribals-in-india/217974>

especially weakened in the last century through imposed religious divisions, first by large scale Christian missionary activity—mostly peaceful and welfare based though often also patronizing; and more recently by the Sangh Parivar which has arrogated to itself the authority to control the lives of the Adivasis and is engaged in a massive drive to 'bring back' the Adivasis into the fold of Hinduism—using everything from vicious attacks by thugs under the name of protecting Hinduism to setting up organizations that purport to work for tribal welfare and education²⁴².

The Sangh Parivar has set up a plethora of organizations that focus on tribal areas. Prominent among them are Vanvasi Kalyan Ashram, Ekal Vidyalaya, Sewa Bharati, Vivekananda Kendra, Bharat Kalyan Pratisthan and Friends of Tribal Society. The basic strategies deployed by the Sangh organizations has been on primary focus on Hinduizing Adivasis as necessary for national integration, using its influence in Adivasi areas to secure electoral gains and Activities geared towards creating communal tensions and violence.

The objectives of the Sangh organizations working among the Adivasis has two-fold objectives of 'bringing them back' to Hindu faith and to 'check' the conversions to Christianity. This vision is laid out clearly in many RSS texts. The systematic alienation of the Adivasis...who form an inseparable part of the Hindu society through proselytization was another grave challenge that demanded immediate corrective measures.... They had all along been a most exploited lot and an easy prey for unscrupulous conversion by Christian missionaries. It is to counter this twin menace of British legacy, that the Bharatiya Vanvasi Kalyan Ashram (BKVA) was founded in early fifties. ...Over the decades, the Ashram has succeeded not only in putting a stop to conversions in all its areas of operation, but also in bringing the converts back to the Hindu fold.²⁴³

In a report published by the Outlook on 1st July 2002 "Poisoned Edge: The Sangh exploits Dalit and tribal frustration to recruit soldiers for Hindutva's 'war' " rightly raises the question: Of all the disturbing facts that emerged from the post-mortem of the communal carnage in Gujarat, the most baffling and alarming is the large-scale participation of Adivasis and Dalits in the rioting. Independent observers, researchers and social activists are agreed that their involvement was unprecedented. Never before was the divide between the Dalits and Muslims so pronounced and so violent²⁴⁴. Even more shocking: Adivasis, who have little in common with mainstream Hinduism, brandished weapons, looted and killed as they violently avenged the 'attack on Hindus'."

²⁴² <https://www.facebook.com/pg/Adivasi-Against-Conversion-107188653999211/posts/>

²⁴³ <https://www.newslick.in/hinduisation-and-social-work-rss-glimpse-akhil-bharatiya-vanvasi-kalyan-ashram>

²⁴⁴ <https://magazine.outlookindia.com/story/poisoned-edge/216292>

However, Adivasis and Dalits were used as foot-soldiers in the 2002 Gujarat Genocide shows the successful experiment led and conducted by the Sangh Parivar and with the growing communalisation of the civil society serving as a backdrop and the limitations of the secular intervention already visible neither can it be said to be the last 'experiment' of its kind.²⁴⁵

Post 2002 in well-organized violence against the minorities by and large, the police, para military forces and State Government had connived and colluded with the marauders.

III

Salwa Judum

Salwa Judum meaning "Peace March" or "Purification Hunt" in Gondi language was launched in June 2005 by BJP-led Chhattisgarh State Government with support of Central Government's Home Ministry. It was a militia that was mobilised and deployed as part of anti-insurgency operations in Chhattisgarh aimed at countering Naxalite violence in the region. The militia, consisting of local Adivasi youth, received support and training from the state government²⁴⁶. It has been outlawed and banned by a Supreme Court order in 2011 but continues to exist in the form of Armed Auxiliary Forces, District Reserve Group and other vigilante groups.

However, it was a counter-insurgency operation against the Naxalites in the guise of a 'spontaneous', 'self-initiated', 'peaceful', 'people's movement' launched in Dantewada district of Chhattisgarh. The district administration claimed that was capable in upsetting the Maoist strike call on collecting tendu leaves and opposition to development works like road construction and grain levies. Villagers in some 200 villages began mobilizing against the Maoists, going on processions and holding meetings.

The fact that the Salwa Judum was actively supported by the Chhattisgarh Government. Far from being a peaceful campaign, Salwa Judum 'activists' were armed with guns, lathis, axes, bows and arrows. Over 5000 Special Police Officers (SPOs) were appointed by the Government under the Chhattisgarh Police Regulations. They actively participated in the Salwa Judum and were given military and weapons training by the security forces as part of an official plan to create a civil vigilante structure parallel to that of the Naxalites.

²⁴⁵ <http://www.sacw.net/article544.html>

²⁴⁶ https://www.reddit.com/r/indianews/comments/36utea/wikipedia_page_of_the_day_salwa_judum/

Over at least 1, 00,000 people were displaced and the lives at least 3, 00,000 people from the 644 “liberated villages” were completely disrupted, because of Salwa Judum. People were forcibly picked up from their villages and are confined into 'relief camps', where they faced acute shortage of food, water and other basic amenities. The condition of several thousands were forced to migrate to neighbouring states and districts was even worse. All those villages which have not come into camps were deemed “Maoists” villages and denied all health, education and other facilities, including access to markets²⁴⁷. A large number of people have thus been denied their fundamental rights

There has been a complete breakdown of civil administration and the rule of law in Dantewada district and Salwa Judum 'activists' became vigilantes who asserted the right to control, intimidate and punish anyone they considered to be a suspected Naxalite. Cases of murder, loot, arson, rape and other violence and atrocities by Salwa Judum went unreported. The Government did not accept responsibility for the actions of the Salwa Judum 'activists', it sponsored, encouraged, promoted and assured them full state protection and granted them impunity to operate as an extra-legal authority within the district. The Maoists also retaliated with attacks on camps, SPOs and police. According to State government's own figures, Salwa Judum had only intensified the violence from both sides.

The Government's only response to Maoist insurgency had been to militarise; step up police operations and to pit civilians, in the name of Salwa Judum, against Maoists and against each other. By resorting to such measures, the government had seriously challenged the efficacy of democratic and constitutional means of finding solutions to people's problems. It has completely failed to address the root of the discontent, the deprivation and alienation of Adivasis, which formed basis of the Maoist foothold in Dantewada.

As Prof Nandini Sundar of Delhi University wrote in The Wire titled Salwa Judum 2.0? What a Disaster That Will Be' dated 22nd May 2015, “Quite apart from being a humanitarian disaster, Salwa Judum was a counter-insurgency catastrophe. Even the IB admitted that it had increased support for the Maoists – cadre recruitment went up by some 20%. When Sukma Collector Alex Paul Menon was kidnapped, his guards were all people affected by Salwa Judum. The Maoists stepped up their retaliation, killing off Salwa Judum leaders, culminating in the massive bloodbath at Jeeram Ghati in 2013, when Mahendra Karma and other Congress leaders were killed while returning from a political rally. Salwa Judum was followed in 2009 by Operation Green Hunt – which was actually just a more organised version of the Judum, minus the mass rallies and the forcible regrouping. SPOs and security forces

²⁴⁷ <https://cpjc.wordpress.com/what-is-salwa-judum/>

continued to attack and burn villages, like the 300 homes burnt in Tadmetla and neighbouring villages in March 2011.”²⁴⁸

Supreme Court Ruling on Salwa Judum

On 5 July 2011, the Supreme Court of India in a case filed by Prof. Nandini Sundar and others declared the deployment of Adivasi youths as Special Police officers—either as 'Koya Commandos' as illegal and unconstitutional, and ordered its disbanding. The Court directed the Chhattisgarh government to recover all the firearms, ammunition and accessories.

In the Supreme Court's ruling issued by Justice B. Sudershan Reddy and Justice S.S. Nijjar on the writ petition strongly indicted the State for violating Constitutional principles in arming youth who had passed only fifth standard and conferring on them the powers of police.²⁴⁹

The Bench said “the State of Chhattisgarh shall forthwith make every effort to recall all firearms issued to any of the SPOs, whether current or former, along with any and all accoutrements and accessories issued to use such firearms. The word firearm as used shall include any and all forms of guns, rifles, launchers etc., of whatever calibre.”

Writing the order, Justice Reddy directed the State of Chhattisgarh to immediately cease and desist from using SPOs in any manner or form in any activities, directly or indirectly, aimed at controlling, countering, mitigating or otherwise eliminating Maoist/Naxalite activities in the State of Chhattisgarh.²⁵⁰

The court directed the Centre and the State of Chhattisgarh to provide appropriate security forthwith, and undertake such measures “as are necessary, and within bounds of constitutional permissibility, to protect the lives of those who had been employed as SPOs previously, or who had been given any initial orders of selection or appointment, from any and all forces, including but not limited to Maoists/Naxalites.”

The Bench made it clear that the State of Chhattisgarh should take all appropriate measures to prevent the operation of any group, including but not limited to Salwa Judum and Koya commandos, that in any manner or form seek to take law into private hands, act unconstitutionally or otherwise violate the human rights of any person.

²⁴⁸ <https://thewire.in/law/salwa-judum-ii-what-a-disaster-that-will-be>

²⁴⁹ <https://www.thehindu.com/news/national/Salwa-Judum-is-illegal-says-Supreme-Court/article13639702.ece>

²⁵⁰ <https://www.thehindu.com/news/national/Salwa-Judum-is-illegal-says-Supreme-Court/article13639702.ece>

The Bench said “the measures to be taken by the State of Chhattisgarh shall include, but not be limited to, investigation of all previously inappropriately or incompletely investigated instances of alleged criminal activities of Salwa Judum, or those popularly known as Koya Commandos.”²⁵¹

The Bench held that the policy of the State violated the rights under Articles 14 and 21 of the Constitution of those being employed as SPOs in Chhattisgarh and used in counter-insurgency measures against Maoists/Naxalites, as well as of citizens living in those areas.

The Bench was of the view that effectiveness of the force "ought not to be, and cannot be, the sole yardstick to judge constitutional permissibility. Whether SPOs have been effective against Maoist/Naxalite activities in Chhattisgarh would seem to be a dubious, if not a debunked, proposition given the state of affairs in Chhattisgarh. Even if we were to grant, for the sake of argument, that indeed the SPOs were effective against Maoists/Naxalites, the doubtful gains are accruing only by the incurrence of a massive loss of fealty to the Constitution, and damage to the social order.”

The Bench said "The primordial value is that it is the responsibility of every organ of the State to function within the four corners of constitutional responsibility. That is the ultimate rule of law.”

It said “Indeed, we recognise that the State faces many serious problems on account of Maoist/Naxalite violence. Notwithstanding the fact that there may be social and economic circumstances, and certain policies followed by the State itself, leading to emergence of extremist violence, we cannot condone it.”

The Judges said “The attempt to overthrow the State itself and kill its agents, and perpetrate violence against innocent civilians, is destructive of an ordered life. The State necessarily has the obligation, moral and constitutional, to combat such extremism, and provide security to the people of the country.”²⁵²

III

Grabbing of Adivasi land by Private Companies continues...

The processes of loss of Adivasi land, involved a combination of factors, including large influx of migrants or and the large acquisitions for projects in the area, also creating a general condition inimical to Adivasi interests – powerful people, incl-

²⁵¹ <https://www.thehindu.com/news/national/Salwa-Judum-is-illegal-says-Supreme-Court/article13639702.ece>

²⁵² <https://www.casemine.com/judgement/in/5609af01e4b0149711415539>

-uding the Administration, often acting on behalf of corporates, to persuade and where needed, forced Adivasis to give up their land. Together, these conditions helped create a market for land, where none existed before, and a strong 'push' for alienation²⁵³. The Adivasis own hapless condition – poverty, indebtedness - and the rise of consumerism, were the other 'pull conditions', resulting in the widespread loss of tribal land²⁵⁴. The law is not helping – Chhattisgarh has no law specifically to prevent land alienation. But Section 170-B of Chhattisgarh Panchayati Raj Evam Gram Swaraj Adhiniyam 1993 (amended in 1997) empowers Gram Sabha to act to restore alienated land, with the final responsibility, in this matter, resting with the Revenue Administration. But poor awareness, empowerment and accountability, mean Gram Sabhas, have not taken this up proactively. And although relevant laws, such as Chhattisgarh Panchayati Raj Adhiniyam, 1993 (CPRA), have been amended to apply PESA 1996, and thus empower Gram Sabhas in this matter, absence of rules and guidelines, means their application has been a nonstarter²⁵⁵. The little traction that in the move towards Adivasis gaining control over their land and resources with increasing push back by Adivasis and their organisations against mostly land acquisition, thanks to the work of campaigns.

However the BJP coming into power at the Centre in 2014, successive laws and policies are introduced that reverses existing constitutional and statutory guarantees of self-governance and tenure rights of Adivasis. These include exemptions from seeking free, prior and informed consent of project-affected persons in case of diversion of forest land for 'linear' projects and mineral prospecting, expanding eminent domain and police powers of the State and administrative machinery to centralize control over land, increased mechanisms for land grab through land banks, forced plantations under Compensatory Afforestation Fund (CAF) Act, land swaps, as well as forced evictions through illegal declarations of protected areas without due process and Free, Prior and Informed Consent (FPIC).

Chhattisgarh has abundant mineral wealth, with 17.4% of total coal reserves in India, 18.7% of iron ore (hematite) reserves, 37.7% of tin ore reserves and 28.3% of diamond reserves of India²⁵⁶. At 16599.59 crores, the value of minerals produced in Chhattisgarh in the year 2012-13 accounted for almost 13% of India's total mineral production value for the year 15. Mining and quarrying activities have steadily contributed to roughly 10% of the state's GDP over the past 10 years, and over 50% of its non-tax revenue stream.

In Chhattisgarh there has been a massive illegal loot of forest and mineral resources. The state ranks second in the nation in terms of total forest land diverted for mining

²⁵³ <https://1library.net/document/q2011erz-extent-nature-individual-tribal-alienation-schedule-states-india.html>

²⁵⁴ <https://1library.net/document/q2011erz-extent-nature-individual-tribal-alienation-schedule-states-india.html>

²⁵⁵ <http://centreforequitystudies.org/wp-content/uploads/2020/05/TribalLandAlienation.pdf>

²⁵⁶ https://www.ohchr.org/Documents/Issues/Housing/IndigenousPeoples/CSO/HRDefendersAlert_India.pdf

purposes – accounting for 15%. The brunt of this diversion is being faced by the Adivasi communities in the area. The Adivasis have been agitating against displacement on an unprecedented scale - for mining, setting up of industries, dams, sanctuaries, four laning of highways, the posh capital region, and even army and air bases. Whether it be the sponge-iron belt of Raipur, the cement belt between Raipur and Bilaspur, the coal mines of Koriya, bauxite mines of Sarguja, the power plants of Korba²⁵⁷ and above all Jindal-land – Raigarh - where the writ of the Jindal company ran Raigarh, as they enjoy significant de facto police and administrative powers, all these areas have been witness to widespread displacement, inadequate rehabilitation and compensation, and devastation of the environment particularly the clearing of pristine forests, toxic air pollution, turning up waters red with sludge and drying up of water sources and dumping of ash.

The pace and extent of the land grab increased vastly, with not an inch of largely Adivasi Jashpur left unaffected by prospecting and mining licenses, 34 power plants in the Janjgir district and 7 cement plants in the Baloda Bazar district where units of multinationals Holcim and Lafarge and of the Birla group – Ultratech, Grasim and Century were already there.²⁵⁸

The Land Acquisition Act 2013 was brought ostensibly because of the fierce countrywide resistance of the peasantry and Adivasis against land acquisition, far from addressing any of the serious legal issues, it appears that the Act actually facilitated corporate land grab.

There has been violation of established procedures for settlement of individual and community claims as it happened for the mining project in Hasdeo Arang forest region, in a complaint sent to an Experts Appraisal Committee it was alleged that the Gram Sabhas were forged.

There was no consensus and forceful means were adopted as there were complaints regarding the illegal swapping of land, the Sub Divisional Officer threatened the families to give consent for such illegal transfers.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 provides for enhanced rates of compensation to be given to those whose lands have been acquired for developmental projects. However, there has been an ongoing attempt at diluting the same.

Attacks on human rights defenders who oppose the violations of laws committed by the State and corporate entities have intensified. Sudha Bharadwaj, a lawyer and activist in Chhattisgarh, who vociferously criticized the state's collusion in corpo-

²⁵⁷ <https://counterview1.files.wordpress.com/2018/02/legal-face-of-the-land-grab.pdf>

²⁵⁸ <http://www.indiaenvironmentportal.org.in/files/file/legal-face-of-the-land-grab.pdf>

-rate land grab and violence on Adivasis, was arrested on 28 August 2018²⁵⁹ and charged under the country's anti-terror legislation known as the Unlawful Activities Prevention Act- an extraordinary legislation that overrides the provisions under the country's criminal procedural laws and the Constitution. There have been similar attacks in the past as well on Adivasi leader, Jailal Rathia, challenged the irregular acquisition and grabbing of Adivasi land. He died in March 2017 as a result of what his family suspected was a deliberate poisoning. He had been threatened on several occasions and told by local land mafia and the state police to withdraw the petitions he had filed.²⁶⁰

IV

Ramesh Aggarwal who challenged Jindals in Raigarh

Ramesh Agarwal, an environmental activist and cyber café owner's confrontation with Jindal began in 2010, over the new power plant under construction in Tamnar. Starting his activism in 2005 and won his first legal battle in 2010 when he managed to prevent the expansion of the mining company Scania Steel & Power Ltd. in Chhattisgarh.

In March 2010, Agarwal sent a letter to the then Union Minister Forest & Environment Jairam Ramesh, that Naveen Jindal, the then Congress MP had begun building the plant without securing an environmental clearance. The then Union Minister Ramesh dispatched a team of investigators to Tamnar, where they confirmed Agarwal's allegations. In June 2010, the environment ministry directed the Chhattisgarh government to withdraw its approval for the power project²⁶¹. Jindal appealed to the environmental ministry and managed to get the decision reversed, but his fight with Agarwal was just getting started.

In May 2011, the police arrested Agarwal at his home, on the basis of a criminal defamation complaint Jindal had filed in June 2010, over remarks Agarwal had made at a public meeting on the power plant expansion. Agarwal spent about 60 days in jail, while the district court and high court refused him bail, which was finally granted by the Supreme Court.

In April 2012, the National Green Tribunal took up a complaint that Agarwal had filed three years earlier, challenging Jindal's environmental clearance for a mining project and coal washery in Tamnar. The crux of Agarwal's complaint was that the

²⁵⁹ https://www.ohchr.org/Documents/Issues/Housing/IndigenousPeoples/CSO/HRDefendersAlert_India.pdf

²⁶⁰ <http://www.ramanmedianetwork.com/attacks-on-human-rights-defenders-increasing-in-india-amnesty/>

²⁶¹ <https://caravanmagazine.in/vantage/man-who-dared>

required public hearing had been conducted improperly: after the meeting was dispersed by police who had arrived to break up angry protests, the district magistrate continued the hearing, recording the remarks of a tiny number who supported the project. The tribunal's decision was unusually harsh; after reviewing video evidence, the bench of two judges declared the hearing “a farce” and “a mockery of the entire process of public hearing”. The tribunal cancelled the environmental clearance, and Jindal suffered another setback at the hands of Agarwal's activism.

On 7 July 2012, Agarwal was at the cyber café he owns a hundred metres from his home, assailants broke into and aimed guns at his chest. A mobile phone he hurled knocked the men off balance before they fired. The shattered thigh bone he suffered was the price Agrawal paid for helping block a coal mine by the powerful Jindal Steel and Power Limited. Gunmen were sent by Jindal plotted the attack and hired the shooters.

Jindal's business interests in the state have led him to forge an alliance with the then BJP chief minister, Raman Singh. Naveen Jindal paid the dividends for continuing his relationship with the then Chhattisgarh Chief Minister.

On 29th April 2014 with great difficulty Ramesh Agrawal limped to the podium in San Francisco to receive the prestigious Goldman Prize for grassroots environmental activism with a prize money of \$1, 75,000. Still recovering from gunshot injuries inflicted by goons on the payroll of a steel and power giant, Naveen Jindal, Agrawal had to be helped up by his son Raman.

Agrawal's grit and determination have become an inspiration for environmental activists across India who have been fighting a losing battle against forces unleashed by the steady privatization of the country's vast mineral resources. That includes coal—India's most abundant energy resource, responsible for 68 percent of its electricity generation. India's inefficient coal-fired power plants are notorious smoke and pollution belchers²⁶². Coal mining is even dirtier.

Agrawal's campaign—called Jan Chetna is a loose coalition of hundreds of activists who help villagers and tribal people across Chhattisgarh with legal disputes over land. The fight “is not just about coal,” he said in his Goldman acceptance speech, “but about governance, ethics and respect for human beings and nature.”²⁶³

²⁶² <https://insideclimatenews.org/news/22052014/jailed-shot-fighting-coal-qa-ramesh-agrawal-goldman-prize-winner/>

²⁶³ <https://insideclimatenews.org/news/22052014/jailed-shot-fighting-coal-qa-ramesh-agrawal-goldman-prize-winner/>

V

Sudha Bharadwaj fought for the marginalized and now arrested under UAPA...

Sudha Bharadwaj, considered as the pivot of civil society in Chhattisgarh was arrested on 28th August 2020, when the Pune Police raided her house, she was charged under provisions of the Unlawful Activities Prevention Act (UAPA) and Sections 153A, 505(1) (b), 117, 120(b) and 34 of the Indian Penal Code. Chhattisgarh has one of the worst human rights records in India and has seen huge displacement of Adivasis due to exploitation of natural resources by corporates.²⁶⁴

Since 2016, Bharadwaj has been fighting a legal battle for the villagers of Ghatbarra and adjacent areas in Ambikapur. The Chhattisgarh government had summarily cancelled the community rights of Adivasis living in the area. The forest rights of Adivasi dwellers were taken away by the state government to facilitate coal mining for the Adani Group in the Parsa East and Kete Besan coal block.

The block was originally allocated to Rajasthan Vidyut Utpadan Nigam Limited (RVUNL), a Rajasthan government subsidiary. The Rajasthan government gave the rights of coal mining to Adani Minerals Private Limited. The Adani-operated Parsa East and Kanta Basan open cast is being developed at a cost of Rs 2,369 crore. The mines are likely to adversely impact 1,871 hectares of forest land and an elephant corridor in Sarguja.

Bharadwaj through Janhit—a lawyers collective that fights cases pro bono, especially for workers—is fighting on behalf of the Adivasis of Ambikapur in the High Court of Chhattisgarh at Bilaspur. The PIL on the issue is considered to be a major threat to the coal mining interests of the Adani Group.

Almost every second case Bharadwaj fought in the High Court of Chhattisgarh was against some corporate house. She stood with those marginalised communities for whom she fought on the ground between 1986 and 2006 as an activist. Bharadwaj has been a deterrent against powerful lobbies standing in their way to exploit Adivasi habitats.

59 year old Bharadwaj was born in the US, but renounced American citizenship when she turned 19. She is an IIT Kanpur alumna. With her early schooling in Cambridge, UK, Bharadwaj was born in a family of academics. Leaving her teaching job in Delhi Public School, New Delhi, Bharadwaj came to Chhattisgarh in 1986 to work with legendary labour leader Shankar Guha Niyogi, who was

²⁶⁴ <https://www.theweek.in/news/india/2018/09/07/sudha-bharadwaj-arrested-activist-legal-adani-mines.html>

murdered at the behest of a local industrialist.²⁶⁵

Niyogi ran a movement of labourers in Chhattisgarh, which was called Chhattisgarh Mukti Morcha (CMM). The work of CMM and Niyogi was legendary during Niyogi's lifetime, but the movement shattered after his death.

It was Bharadwaj who continued to work in the set-up of a splintered CMM and cobbled together the activists of various factions without becoming its official leader. She moved to Jamul labour camp during the years of the Bhilai Andolan as part of the Chhattisgarh Mukti Morcha. Bharadwaj lived and worked among the workers of Bhilai for over a decade.

In 2005, Bharadwaj started practising in High Court of Chhattisgarh, where her fights against corporate groups like Jindal, Birla, Adani and Vedanta became iconic in the pro-people struggle. There, she formed Janhit, a lawyers group to fight the pro-people cases in courts²⁶⁶.

Sudha Bharadwaj believes in a parallel fight on ground and in courts then only, they could get relief for the poor and marginalised. Even the draft proposal for the act for protection of journalists for Chhattisgarh was prepared by Bharadwaj.

Sudha Bharadwaj filed nearly three dozen PILs in High Courts; most of them related to oppression by state, failure of government services, land acquisition, forest rights, education and labour distress.

Admiration for Bharadwaj among legal luminaries and top High Court judges has been such that she was even offered judgeship in the state High Court by a Chief Justice few years back.

Owing to Bharadwaj's standing in the legal profession, the National Law University appointed her as a visiting faculty. She also served as member of the Chhattisgarh state legal services authority and she holds the post of Vice President of the Indian Association for People's Lawyers (IAPL).

When Bharadwaj was arrested from her rented home in Sector-29 of Faridabad, she was getting ready to go to college. When police took away her laptop and mobile phone and produced them before court, she told media persons, "Everybody knows about my credentials. I am a public figure for last 30 years. I have nothing to do with the incident in the FIR. My email password and Twitter passwords have been taken. I don't know what they are going to do with it. It is data on air that you cannot seal by sticking a sellotape."

²⁶⁵ <https://www.theweek.in/news/india/2018/09/07/sudha-bharadwaj-arrested-activist-legal-adani-mines.html>

²⁶⁶ <https://www.theweek.in/news/india/2018/09/07/sudha-bharadwaj-arrested-activist-legal-adani-mines.html>

Before five prominent intellectuals went to the Supreme Court, Bharadwaj's case was taken up by eminent lawyer Vrinda Grover. On August 28, when the Pune Police raided her house, she was charged under provisions of the Unlawful Activities Prevention Act (UAPA) and Sections 153A, 505(1)(b), 117, 120(b) and 34 of the Indian Penal Code.

The most burning issue that is agitating the farmers and Adivasis in Chhattisgarh is their displacement for mining and setting up of industries, dams, sanctuaries and four-laning of highways and setting up new towns."

The sponge-iron belt of Raipur, the cement belt between Raipur and Bilaspur, the coal mines of Koriya, bauxite mines of Sarguja, the power plants of Korba and industries of the Jindal Group of Raigarh have witnessed large-scale displacement and destruction of environment. Incidentally, footprints of Bharadwaj or her team can be witnessed everywhere. The 34 power plants coming up in Jangjir district and seven cement plants in the district of Baloda Bazar were questioned by her.

Sudha Bhardawaj has indelible faith in the Indian system despite that system often failing to deliver for the marginalised and poor. Her understanding of Indian Constitution is incredible. She would always say she originally came to Chhattisgarh and to the sangathan (organisation) with the intention of teaching at the worker-run schools in Dalli Rajhara, but that all the Sangathan leaders and labourers convinced her to study law and fight their cases instead—that is what they needed. But somehow, there was never a hint of condescension or anything patronising about her tone. On the contrary, even when who looked to her as a senior mentor and guide, Sudha is someone who would somehow always make sure they walked beside her, and never behind.

The arrest of human rights activists has not served any purpose of the government. In fact, human rights activists have won the first round as this has given them the opportunity to unite. The civil society movement needed this moment and Sudha Bharadwaj's arrest gave that chance.²⁶⁷

VI

Soni Sori, a fearless Adivasi activist...

The 46-year-old Adivasi rights activist has been an outspoken critic of police violence towards adivasis in Chhattisgarh, while confronting the Maoist in the state. An Adivasi school teacher, who lives in Sameli village of Dantewada district was arrested by the Delhi Police's Crime Branch for Chhattisgarh Police on 4th October

²⁶⁷ <https://www.theweek.in/news/india/2018/09/07/sudha-bharadwaj-arrested-activist-legal-adani-mines.html>

2011 on charges of acting as a conduit for Maoists. A month after the Chhattisgarh police allegedly caught Essar contractor B K Lala trying to pay protection money to Maoists through Lingaram Kodapi, a Maoist conduit and Sori's nephew. Soni Sori was tortured, she had been subjected to in police custody and the then Superintendent of Police, Ankit Garg stripped her and forcibly inserted stones into her body.

During her time in a Dantewada jail between 2011 and 2013, grave tortures were committed on Soni Sori by the jail authorities including sexual assault, physical abuse and mental harassment. In the jail, Sori was given electric shocks, stones were shoved in her vagina and anus, and she was stripped naked and sexually assaulted several times, she revealed. Her gynaecological examination disclosed that two stones were found in her vagina and rectum. These assaults, she asserts time and again, are quite common in Indian prisons.²⁶⁸

On several accounts, Sori recounted the conversation she had with these women when she asked them what they would do after their jail term ends. She says, the women told her if they survived the jails, they would not go back to their villages but run away and join the Maoists because who would marry them. This is how the state creates Maoists, explained Sori. She goes on to say that it's not accurate when the state says that the Maoists forcibly recruit people²⁶⁹. Instead the government prepares Maoists by putting them through this abuse in jails. Prolonged prosecution and detention leads to these Adivasis losing their families, their land and property. Resonating the voice of the larger Adivasi rights activism, she stated that the aggression that the state displays in the name of combating the Maoists is an excuse to eliminate and evict Adivasis who live on these lands, forests, rivers.²⁷⁰

Her torture in the jail triggered global outrage. Her lawyers filed an additional petition in the Supreme Court, which then directed that she be taken to AIIMS for a check-up²⁷¹. By April 2013, the Supreme Court acquitted her in six of the eight cases filed against her due to lack of evidence. After release from prison, Sori began campaigning for the rights of those caught up in the conflict between Maoists and the government, in particular criticising police violence against adivasis in the region.

On 21st February 2016, at about 10 pm in the night, three unidentified men on a motorcycle stopped Soni Sori and her friend as they were returning to their village. One of them smeared a chemical on her face which caused it to swell and caused the outer layer of her skin to burn and peel off. It was dark and Soni Sori couldn't see

²⁶⁸ <http://archive.indianexpress.com/news/soni-s-story/983928/0>

²⁶⁹ <https://www.thenewleam.com/2020/10/the-life-of-soni-sori-fierce-human-rights-defender-and-an-enemy-of-the-indian-state/>

²⁷⁰

²⁷¹ <http://archive.indianexpress.com/news/soni-s-story/983928/0>

their faces and all she heard were threats that if she didn't stop raising her voice against police atrocities, she feared that her daughter could be attacked. Even now, when Soni Sori sees her picture from that time, she wonders how she endured that horrific attack.

Speaking about Soni Sori, author and activist Arundhati Roy had said, “Soni Sori is absolutely extraordinary, fearless and tremendously articulate. She speaks up for those who are being crushed. She tries to create a space in that conflict for ordinary people who are not armed Maoist guerrillas but who are fighting for their rights in other ways.”

On 18 May 2018, Soni Sori won the Front Line Defenders Award for Human Rights Defenders at Risk. She was among five winners who won awards from their regions. Sori won this award for her on-going work towards justice for justice for the Adivasi community in the Bastar region of Chhattisgarh.²⁷²

VII

Unbounded Savagery on the Adivasis by the State continues unabated...

Dr Goldy George, a Raipur-based Dalit Activist, who edits Forward Press, wrote on February 13th 2020, “Nearly eight years ago, in 2012, in an alleged encounter between security forces and Maoists, 17 villagers, including seven minors, were killed. The incident occurred between the villages of Sarkeguda, Kothaguda and Rajpenta on the night of 28 June 2012. This operation was hailed as a major success by both the then Bharatiya Janata Party (BJP) state government, as well as the Congress-led Centre. Then Union Home Minister P. Chidambaram went on to describe it as one of the “biggest offensives against Maoists”, in which three important leaders of the movement were killed, namely Somulu, Nagesh and Mahesh.²⁷³

However villagers dismissed the fake news of the encounter, claiming that the police and security forces had engaged in one-sided firing. It was an incident of coldblooded murder of Adivasis on the pretext of an operation against Maoists. A judicial inquiry was ordered by then chief minister Raman Singh in the face of mounting pressure from human rights groups and members of political parties and the wide media coverage the incident received.

²⁷² <https://www.bbc.com/news/world-asia-india-35811608>

²⁷³ <https://thewire.in/rights/bastar-fake-encounter-maoists-inquiry>

The single-member judicial commission of Justice Vijay Kumar Agrawal, a former Madhya Pradesh High Court judge, concurred with the villagers' claims. The report said that the police's claim of firing by the villagers was wrong and the security forces could not provide any proof that those they fired at were Maoists. The police and security personnel did in fact open fire on unarmed villagers. It even establishes that of the 17 people killed, one was murdered at his home the morning after the incident.

What the security forces told the commission was that on receiving intelligence inputs, CRPF and the state police, split into three groups, decided to leave for an operation on the night of June 28. When the police were fired upon in the dark, they were taken by surprise. This prompted the security forces to return fire. The inquiry commission report says it did not find any conclusive evidence that the villagers fired on the security forces or that the confrontation was with members of a Naxalite outfit.

The report notes: "It has not been proved that the persons killed and injured in the incident other than security personnel were Naxalites as there is no satisfactory evidence in that regard." Moreover, the report states that the claim made by the security forces that they fired in response to villagers' firing "does not stand the test of scrutiny." The report submitted on 17 October 2019 was later presented before the Chhattisgarh Cabinet and tabled in the Assembly in December 2019. According to the report, only the personnel of the Central Reserve Police Force (CRPF) and the state police had fired their weapons.

"The conduct of Deputy Inspector General (DIG) S. Elango as well as Deputy Commander Manish Bamola [who were leading the operation] of not firing a single bullet shot during the incident, as per their own admission, clearly indicates that there was no firing by the members of the meeting; because had there been firing from the persons present at the meeting both the above senior officers would have certainly fired in retaliation and self-defence," reads the paragraph 146 of the 76-page report.²⁷⁴

Sarkeguda Massacre

The Sarkeguda massacre is not an isolated incident. Fake encounters continue to take lives of Adivasis in Bastar. Many similar incidents have been brought to light by rights groups and but many others continue to get buried in silence. Violation of the law under the guise of combatting Maoism has become commonplace in Bastar.

²⁷⁴ <https://www.forwardpress.in/2020/02/defeating-its-purpose-nhrc-camp-not-to-hear-out-chhattisgarh-adivasis-in-conflict-zones/>

Human rights bodies say that fake encounters, forced surrenders and sexual violence perpetrated by the police and security forces have become the norm in combing operations. Media reports have highlighted the involvement of the police and security forces in gang rapes and mass sexual violence on the women of Peddagellur and Nendra. Recently the encounter killing of Lacchu Mandavi and Podiya Sodi had shocked the rights activists in Chhattisgarh. Both these youngsters were key organizers in the struggle against the allotment of iron-ore mine on Nandraj hills to Adani group in Bailadila. They were active in the movement in June 2019 to save the sacred land of the Nandraj hill and were killed in September 2019.

Researcher Bela Bhatia gives an account of another encounter of 2 February 2019 in which Podiyam Sukki of Godelguda village in Sukma's Konta tehsil died on the spot, while two others survived. In this encounter Kalmu Deve was hit on her leg while Podiyam Hungi escaped the gunshot by a close margin. The Superintendent of Police first claimed that CRPF forces from the Puswada camp and district police personnel had gone to Rangaiguda forests on an “area domination exercise”²⁷⁵, and were returning from there when there was an encounter with Maoists close to Godelguda in which a Naxalite woman was killed and another Naxalite woman was injured and apprehended. In the face of allegations of a fake encounter, the SP modified his statement slightly, accepting that the women were civilians (“they were not in Maoist uniforms”) and claimed that they were killed in crossfire during an encounter with the Maoists.

However, the SP's encounter and crossfire stories are at odds with what Deve, Hungi, and other villagers have maintained – that there were no Maoists around that day and there was no exchange of fire. On 8 February 2019, Kawasi Lakhma, the Congress MLA of Konta constituency – in which Godelguda falls – and a minister in the state Cabinet wrote a letter to Chief Minister Bhupesh Baghel about this incident. He declared the entire episode as fake in these words: “... the real situation is that the CRPF and district police teams had left from the Puswada camp towards Rangaiguda for an operation. Near Godelguda, two women, Podiyam Sukki and Kalmu Deve, had gone out to cut wood²⁷⁶. During their return on the Godelguda road, the CRPF and district police, holding that the two were suspected Maoists, opened fire in which one woman, Sukki, was killed and another²⁷⁷, Kalmu, was injured. Kalmu Deve's foot was broken. From the Godelguda Marg or from the women victims, no Maoist material or weapons were recovered at all. It is clear the innocent Adivasi women were fired upon by jawans. The deceased Sukki has four children and the youngest is six months old.”

²⁷⁵ <https://www.forwardpress.in/2020/02/defeating-its-purpose-nhrc-camp-not-to-hear-out-chhattisgarh-advocates-in-conflict-zones/>

²⁷⁶ <https://thewire.in/rights/bastar-naxals-maoists-security-forces>

²⁷⁷ <https://indianexpress.com/article/india/chhattisgarh-in-letter-to-cm-bhupesh-baghel-minister-alleges-fake-encounter-5581048/>

In 2016, an eight-member team of All India People's Forum (AIPF) also conducted fact-finding in four districts of Bastar region in which the team found several cases of human rights²⁷⁸ violations on the pretext of anti-Maoist combing operation. Killings, rapes, beatings, arson and other criminal activities were regularly reported by newspapers. In November 2015, four women Rame, Pandi, Sunno and Mase were raped and killed in a fake encounter in Nagalguda village under Gadiras police station of Kuakonda Tehsil in Dantewada district.

In November 2015, three youths Dudhi Bhima, Sodhi Muya and Vetti Lacchu were killed in a fake encounter in Arlampallil village of Sukma district.

In January 2016, police claimed that two women Maoists Siriyam Pojje and Manjam Shanti were killed after an hour-long gun battle. They were from Palamgadu village of Sukma district. In February 2016, Soni Sori was attacked in Geedam with a tar-like substance that burnt her face, which took almost another year for her to recover from it.

In May 2016, two boys, Markam Manglu and Podiyam Vijja went to bathe in a nearby stream. The patrolling force found them all by themselves, shot them and announced to the press that they had killed two Maoists.

In May 2016, police claimed that an encounter took place with 30-35 armed Maoists, in which a husband and wife – Manoj Hapka and Pandi Hapka (also Tanti) – were killed.

In June 2016, Madkam Hidme was killed supposedly as part of an anti-Maoist operation in Gompad village of Sukma district of Chhattisgarh. Later her body was draped in a brand-new Maoist uniform.

In December 2016, Adivasi women in Bastar, Chhattisgarh, complained of sexual molestation and abuse by security forces.

In April 2017, Jailal Rathia, an Adivasi activist, died in Raigarh, Chhattisgarh, after allegedly being poisoned by members of a land mafia he was campaigning against.²⁷⁹

In September 2017, Manish Kunjam was attacked in Bastar for his daring declaration, “Do not kill out ancestor Mahisasur and Ravana.”

In March 2018, Adivasi villagers in Sukma, accused security force personnel of gang-raping a 14-year-old Adivasi girl.

In April 2018, three leaders along with many followers of Pathalgadi movement have been arrested for sedition, war against the State and other criminal offences.

²⁷⁸ <https://indianexpress.com/article/india/chhattisgarh-in-letter-to-cm-bhupesh-baghel-minister-alleges-fake-encounter-5581048/>

²⁷⁹ <https://indianculturalforum.in/2020/03/03/defeating-its-purpose-nhrc-camp-not-to-hear-out-chhattisgarh-ativasis-in-conflict-zones/>

Human rights groups and individuals who speak on these violations have been thrown out of the region consistently.

In November 2016, statistics were published stating that over 6,500 crimes were committed against Scheduled Tribes in that year alone. Nearly 3500 encounters (big, small and unreported) had taken place in the previous six years under the anti-Maoist operations in which over 1900 people lost their lives.

On 7 December 2019, Lingaram Kodopi, a journalist from Bastar, has uploaded a video on Basterkoya Times, which tells the story of Sannu Hemla – a mentally challenged person from Nahadi Marpara panchayat of Dantewada district. Police officials in the district had claimed that a former Maoist from Nahadi Marpara had surrendered at Patali camp. It is said that the surrendered Maoist carried a prize money of 1 lakh rupees on his head. According to family members, the “Maoist”, Sannu, was mentally challenged.

When the family went to meet the youth, the police allowed the family to meet him. Such things are rather unusual in cases where people are arrested in connection with Maoist activities. “When I met the family, Keshav Hemla, Sannu's younger brother, told me that his brother would have manic episodes regularly, when he would go on speaking whatever came to his mind. When some people were around Sannu, he would say that people were coming to kill him,” writes Kodopi.

It was because of his mental condition that he told the police that he was the Nahadi president of Dandakaranya Mazdoor Kisan Sangathan one of the Maoist outfits. According to Keshav, the police told Sannu that he would get Rs 1 lakh if he would admit to being a prized Naxalite. “And perhaps this one lakh money has also been devoured by police,” writes Kodopi.

The family members said that the police kept Sannu in custody for three-four days. A few days later when the family members went to check on his wellbeing, the police told them that he had absconded. Sannu's family is worried. They are still searching for him.

The fight for justice and the upholding of human rights and Constitutional values of Adivasis is far from over for the people of Bastar. The legal struggle of the villagers is testament to their faith in the judiciary and Constitution. They deserve the justice they have so fearlessly fought for, and it is the responsibility of the Chhattisgarh government to ensure that justice is served. The land and forests that sustain their lives should no longer be turned into battlegrounds for the corporates.²⁸⁰

²⁸⁰ [https://www.forwardpress.in/2020/02/defeating-its-purpose-nhrc-camp-not-to-hear-out-chhattisgarh-
-adivasis-in-conflict-zones/](https://www.forwardpress.in/2020/02/defeating-its-purpose-nhrc-camp-not-to-hear-out-chhattisgarh-
-adivasis-in-conflict-zones/)

Hidme Markam, an Adivasi incarcerated for raising voice against Adivasi under trials and Adani Project

Hidme Markam, a former school cook before joining agitations to free Adivasi prisoners and stop a government-owned iron ore mine to be run by the Adani group on a sacred mountain in Congress-run Chhattisgarh. The arrest of a 28-year-old in Bastar, who the police call a 'Maoist with Rs-1-lakh bounty', is the latest front in a conflict that has raged over four decades.²⁸¹

On 1 November 2020, in an online conference organised by women's groups Hidme Markam, an Adivasi activist from Chhattisgarh's Dantewada district narrated how armed conflict in the region was impacting women villagers.

Markam is from the Gond Adivasi, one of India's largest. She grew up in the heart of the State-Maoist armed conflict, in a village called Burgum in Dantewada. It is home to more than 1,000 people, where there are more women than men, and the female literacy rate, according to the latest census data available, was less than 7% in 2011.

²⁸²

The official literacy rate and Markam's own lack of formal schooling reflects the larger alienation in Adivasi lands, where the local languages of Dravidian origin, Koya and Gondi, are, usually, not used in schools and do not reflect in official data and policies. Schools do not run for years because of the conflict with security forces occupying schools and Maoists blowing them up.²⁸³

Prior to her work as an activist, Markam was a mid-day meal cook in a government primary school near her village for a few years before she became a part of local protests against paramilitary camps in the villages and an iron-ore mine on traditional Adivasi land.

In the November conference, Markam, went on to speak about what is locally known as the Nandraj Pahad (mountain) agitation, underway since the last couple of years in the iron-ore rich Bailadila mountain of Dantewada district, a district where more than 76% of the population is Adivasi and an equal number live below the rural poverty line.

With over 1,300 million tonnes of iron ore deposits—among India's largest—the Bailadila mountain have been long sought after by mining companies. Adivasi villagers who live off the land and see it as a sacred site have protested the mining, and, in particular, fake resolutions submitted on behalf of Gram Sabhas, to allow permissions to clear forests for the Bailadila Deposit 13 mine, its official name.²⁸⁴

²⁸¹ <https://www.kractivist.org/why-hidme-markam-a-voice-for-adivasis-is-in-prison/>

²⁸² <https://www.kractivist.org/why-hidme-markam-a-voice-for-adivasis-is-in-prison/>

²⁸³ <https://www.article-14.com/post/why-hidme-markam-a-voice-for-adivasis-is-in-prison>

²⁸⁴ <https://www.article-14.com/post/why-hidme-markam-a-voice-for-adivasis-is-in-prison>

“No matter which party is in power, they support big companies and do not care for us common Adivasis,” Markam told the conference. “Villagers who protest against the government handing over these lands to corporations are being jailed. We have lost faith in the government but will continue to fight to save our sacred lands and our forests.”²⁸⁵

Three months after the conference, Markam, a member of the Chhattisgarh Mahila Adhikar Manch, a network of women's groups in the state, is herself lodged in a prison in the town of Jagdalpur in the Chhattisgarh district of Bastar.

On the afternoon of 9 March 2021, while a two-day programme to mark International Women's Day and discuss issues impacting the region's women was underway in Dantewada's Sameli village, police and paramilitary forces swept in on the open-air meeting, organisers.

Markam's arrest is the latest episode in a long-running conflict in Chhattisgarh involving the state, a four-decade-long Maoist insurgency, and local Adivasi communities. The latter maintain that officials, no matter which party is in power, back mining corporations and bend laws meant to protect locals, dependent on land and forests for survival.

Chhattisgarh has been close to a fifth of India's iron ore and coal deposits among other minerals. The conflict is particularly acute in the militarised and densely forested, iron ore-rich Bastar region—the size of Kerala with a per capita income a third of the national average—where marginalised communities like Markam's struggle for constitutional rights.

While security forces, Maoists and police informers continue to lose lives in an endless war, there has also been sexual violence against women during security operations and forced surrenders of villagers falsely depicted as Maoists. The conflict has led to thousands of illiterate, impoverished Adivasi villagers, often accused of Naxal offences, spending years as under-trials in the state's prisons.

In September 2019, responding to popular agitations against such incarceration, the present Congress chief minister Bhupesh Baghel had set up a special commission headed by former Supreme Court judge Justice A K Patnaik to review the cases of over 23,000 Adivasi under-trials, including over 6,000 in prison.

Markam, an advocate for Adivasi prisoners through a Bastar-based platform named 'Jail Bandi Rihai Manch' now joins the ranks of such under trials herself. Her lawyer, Gayatri Suman, who was present at the Sameli meeting, told that Markam was taken away even as officials from the district were speaking to the organisers, with an audience of a couple of hundred women from villages around the region who had

²⁸⁵ <https://in.makers.yahoo.com/what-you-need-to-know-about-activist-hidme-markam-044804885.html>

come for the programme.

According to a press release by the Dantewada police, a search unit had been deployed in parts of the district on 9 March after receiving information about Maoist rebels. On its return, the police said, “spotters present with the search party identified Hidme Markam as the head of the range Janatana Sarkar (literally people's government, a reference to a parallel state of the Maoists), and she was taken into custody after questioning”.

In the 9th March 2021 release, the Dantewada district police called Markam a “Maoist with a 1 lakh rupee bounty” and listed four first information reports (FIRs) against her, including two from 2016 (FIR No. 7/2016 & 9/2016) and two from 2020 (FIR No. 3/2020 & 4/2020). The release was issued in the name of a “Kawasi Hidme”.

A second release from the same day by the police listed five FIRs against Markam, including from 2016 (FIR No. 7/2016 & 9/2016), 2017 (FIR No. 7/2017), 2019 (FIR No. 17/2019) and 2020 (FIR No. 3/2020). The cases relate to alleged Maoist violence including killings by the rebels, bomb blasts, and firing on security forces.

Charges in the FIRs include eight sections of the Indian Penal Code, 1860, three sections of the Arms Act, 1959, and three sections of the Explosives Act, 1884. The offences include rioting with deadly weapons, murder, and attempt to murder.

Suman pointed to the discrepancies in the names in the two releases and said that authorities were yet to provide “concrete evidence” to link Markam to these serious charges. For example, in the FIR of 2020, all the accused listed by the police are said to be men.

Markam's lawyer said she broke down in court. Another of Markam's lawyers, Xitij Dubey, who was present in the Dantewada court when Markam was presented to secure her judicial remand, told that proceedings “unfolded very quickly” and prosecutors provided no details.²⁸⁶

Suman, Markam's lawyer, said her client had attended public gatherings and programmes since 2017-18 at a time when the police alleged she was carrying out deadly attacks on security forces and civilians.²⁸⁷

In a June 2019 public rally attended by hundreds of villagers in Kuakonda, Dantewada, Markam and other activists raised the issue of the region's jails being packed with Adivasi villagers, and handed over representations on the issue to local politicians.

²⁸⁶ <https://www.article-14.com/post/why-hidme-markam-a-voice-for-adivasis-is-in-prison>

²⁸⁷ <https://www.article-14.com/post/why-hidme-markam-a-voice-for-adivasis-is-in-prison>

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Soni Sori, who was accused of being a Maoist and spent over two years in jail from 2011-14, told a public gathering last week that Markam was being “framed” for her work on issues of excesses by security forces, mining and displacement. Sori told Article 14 that she knew Markam as a young resident of Burgum from when she was a government school teacher in the region.

Markam was keenly involved in the Nandraj Pahad anti-mining campaign in the Bailadila Mountains. In June 2019, thousands of Adivasis gathered over a week to oppose a proposed mine at a sacred site of the Nandraj Pahad (mountain), the cutting of trees and forged Gram Sabha resolutions around the mining project of Bailadila 'Deposit 13' in Dantewada. As per the Forest Rights Act, 2006 forest clearance proposals need to be placed before the Gram Sabha to discuss, and award or withhold consent.

The Bailadila project is a joint venture between two public sector companies, the National Mineral Development Corporation (NMDC) and the Chhattisgarh Mineral Development Corporation, and Adani Enterprises Limited, among India's most powerful corporations.

In June 2019, NMDC said that Adani was awarded a contract for the Bailadila project as the mine developer & operator. Responding to the June 2019 protests, chief minister Baghel had halted the project and announced an inquiry into complaints by Gram Sabhas of the takeover of their forests by fraud.

Women's groups have sent an open letter to Baghel asking him to intervene for Markam's release. “As convenor of the Jail Bandi Rihai Manch she has been vocal in the demand for release of thousands of innocent adivasis implicated and incarcerated in false cases,” the release said.

“Her sudden 'arrest' in 'old cases' raises many questions including why the State is going after her now, when she was all the time present in public and in fact met many important authorities including the Governor, Chief Minister, Superintendent of Police, Collector etc. demanding the release of arrested adivasis, an end to construction of paramilitary camps in the region and halt to mining,” said the letter.

In a statement issued by the Chhattisgarh chapter of the People's Union for Civil Liberties, an advocacy group, called for Markam's immediate release. “We demand an end to this endless saga of baseless arrests of tribal activists on charges of

Naxalism,” said the release. International advocacy organisations, such as Survival International and Frontline Defenders have also raised the issue of Markam's arrest.²⁸⁸

A video released by Survival International, an advocacy group, on 16 March 2021 showed Markam at the Koraput programme, where she said: “The only way possible forward is for all women to be united for their water, forests and lands, to save them from mining.”²⁸⁹

Hidme's arrest and the manner in which it was done reiterates for Adivasis that governments cannot tolerate anyone Adivasis who speak up against the takeover of their resources. They silence emerging voices like Markam and urban Indians remain ignorant of the extent to which we they are exposed to such brutalities relentlessly.

VIII

Coal mining is making Adivasis suffer

Coal remains the centrepiece of India's energy policy. India is the world's third largest producer as well as consumer of coal, using the fossil fuel to generate nearly two-thirds of its electricity.

However, there is a darker side to the attempts being made to cast India's growth story in black gold²⁹⁰. Neither the Central Government nor the State Governments are keen to take millions of people into confidence before digging up their land to extract coal. These are people who are at risk of losing their land, livelihoods and homes due to coal mining; around 90% of them are poor Adivasis, who can't figure out whether to curse their destiny or the apathetic state.²⁹¹

Over 70% of India's coal reserves are in Chhattisgarh, Jharkhand and Odisha, which account for nearly 2.60 crores Adivasis, or 25% of the country's Adivasi population. Vast numbers of these adivasis are already under constant threat due to indiscriminate mining over the past six decades or so.

Coal India, the world's largest coal production company, has devised an aggressive policy to reach its annual production target of a billion tonnes. Three of Coal India's subsidiaries - South Eastern Coalfields Ltd (SECL), Central Coalfields Ltd (CCL)

²⁸⁸ <https://www.kractivist.org/why-hidme-markam-a-voice-for-adivasis-is-in-prison/>

²⁸⁹ <https://www.facebook.com/ecologicalsociety/posts/1506737889660709>

²⁹⁰ <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-adivasis-suffer-1471010069.html>

²⁹¹ <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-adivasis-suffer-1471010069.html>

and Mahanadi Coalfields Limited (MCL) - are rapidly expanding their mining areas in Chhattisgarh, Jharkhand and Odisha. In the frenzy, the land acquisition laws and environmental guidelines are the first casualties.²⁹²

SECL operates the Kusmunda mine in Chhattisgarh while CCL extracts coal from Jharkhand's Tetrikhar mines²⁹³. MCL operates Odisha's Vasundhara West mine. A survey conducted between January 2014 and June 2016 by Amnesty International found that Adivasi populations at none of these places had been asked before the land was acquired for mining. And most of them had to wait for decades for compensation and rehabilitation.

According to the survey, information regarding claims, objections and public hearings either did not reach the affected people at all, or arrived too late. The authorities did not even try to disseminate the information by any means other than newspapers even though most Adivasis were illiterate.²⁹⁴

The development of coal mines is chiefly governed by four laws - Coal Bearing Areas (Acquisition and Development) Act, 1957; Environment (Protection) Act, 1986; Panchayats (Extension to Scheduled Areas) Act, 1996; Forest Rights Act, 2006. Contrary to claims made by the respective governments, none of these laws has helped the Adivasis of Chhattisgarh, Jharkhand and Odisha affected by coal mining.²⁹⁵

Kusmunda mine expansion in 2009 affected 3,600 Adivasis, expansion in 2014 affected 13,000 people. Kusmunda coal mine in Korba, Chhattisgarh, is among the India's largest. One of the many villages affected by it is Amgaon, where an Adivasi villager pointed out, SECL officials just came and put up the notice for land acquisition at the panchayat office, giving them little chance to oppose the move. This mine is spread over 2,382 hectares. Its annual coal production target was raised from 10 million tonnes to 15 million tonnes in 2009 and further to 18.75 million tonnes in 2014. Now it has again been raised to 26 million tonnes.²⁹⁶

The expansion of Kusmunda mine in 2009 affected some 3,600 Adivasis of Risdi, Sonpuri, Padonia, Pali and Jatraj villages. They were informed about the acquisition of their land through newspapers even though most of them are illiterate. Those affected by the expansion in 2014 were told about it by SECL only after 752 hectares of land had already been acquired.²⁹⁷

²⁹² <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-ativasis-suffer-1471010069.html>

²⁹³ <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-ativasis-suffer-1471010069.html>

²⁹⁴ <https://www.amnesty.org/download/Documents/ASA2043912016ENGLISH.PDF>
<https://www.amnesty.org/download/Documents/ASA2043912016ENGLISH.PDF>

²⁹⁵ <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-ativasis-suffer-1471010069.html>

²⁹⁷ <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-ativasis-suffer-1471010069.html>

On 20 July 2014, the Coal Ministry announced acquisition of 1,051 hectares of land in five villages - Amgaon, Churail, Khodri, Khairbawna and Gevra -- for further expansion of Kusmunda. The nearly 13,000 adivasis affected by the move were asked to file their objections and claims within 30 days. While most villagers never got the information, some landowners did file objections to the SECL, but to no avail.

Despite such overwhelming evidence of apparent wrongdoing, the authorities remains in denial²⁹⁸. Chhattisgarh Mining Secretary Subodh Singh claimed that no case of flouting of land acquisition law were brought to his notice.

Gond's battle to save their forest home from mining at Hansdeo Arand forest

The Adani-managed Parsa East and Kanta Basan open cut coal mine, which has been operating since 2013. More mines of this type have been approved. A rash of newly approved mines could destroy swathes of the Hasdeo Arand forest – and with it the biodiversity local villagers depend on for survival²⁹⁹. Gond adivasis living in Chhattisgarh's Hasdeo Arand forest, as they have been using the grass to make ropes, brooms and mats.

The Hasdeo Arand is one of the largest contiguous stretches of dense forest in covering about 170,000 hectares (420,080 acres) of Chhattisgarh. It is rich in biodiversity, contains many threatened species and is home to elephants, leopards and sloth bears.

It is also home to the Gond, and unfortunately for the Gond and other Adivasis forest dwellers, the Hasdeo Arand sits on top of more than a billion metric tonnes of coal reserves.³⁰⁰

The Adivasi villagers in Ghatbarra fought a rear guard action against the mining giant Gautam Adani to protect their ancestral homelands and one of the India's richest and most diverse regions.

Despite at one time being declared off-limits to mining, BJP led Chhattisgarh Government in 2011 granted mining permission for the first coal blocks in Hasdeo Arand. By 2013 the Parsa East and Kanta Basan open cast mine operated by Adani – and which adjoins Adivasi villages – was a reality. It currently produces 15m tons of coal per annum.

²⁹⁸ <http://www.catchnews.com/india-news/black-gold-white-lies-how-coal-mining-is-making-adivasis-suffer-1471010069.html>

²⁹⁹ <https://www.theguardian.com/environment/2020/feb/10/indias-ancient-tribes-battle-to-save-their-forest-home-from-mining>

³⁰⁰ <https://www.hindustantimes.com/india-news/centre-s-nod-for-mining-in-170khectares-of-forest/story-F60Pb7W8ybegHntaO9YBwK.html>

More open cast mines have been approved by the Narendra Modi- led BJP Government. An estimated 80% of the entire forest area – and 30 villages were to be lost. As well as relying on the forest's plants for food, medicine and construction materials, villagers use the forest floor for grazing cattle.³⁰¹

To the Gond every feature of the forest has a spiritual significance and they rely on products collected there to sustain life: flowers, fruits, grains, seeds, tubers and roots for food and medicines; timber, leaves and grasses for ropes, mats, brooms, baskets, fires and building.³⁰²

Fearing their way of life is threatened by the mines, the Gond fought to stop them. Adani is one of India's largest and most influential companies, run by the country's second richest man, Gautam Adani,. The Adani group itself has an annual revenue of \$13bn and is currently making the headlines in Australia where environmentalists and residents are fighting plans for the Carmichael mine in Queensland.

The Parsa open cast mine operated by Adani Enterprises through its subsidiary Rajasthan Collieries – received approval and covered over 841 hectares of the forest next to the Parsa East and Kante Basan. The mine has a mineable reserve of 200m metric tons of coal and a lifespan of 42 years.³⁰³

Gond protested against further mining in the Hasdeo Arand. In October 2019, Adivasi villagers from 20 villages set up a large tent in Fathepur village as a centre for their protests. Men, women and children gathered to argue that their Gram Sabhas had never given permission for mining on their homelands – a right they say is enshrined in law. The protesters submitted a letter to Chhattisgarh state government authorities on October 21 demanding that land acquisition and clearance for mining be rescinded on that basis. Adani said that as these lands are “coal bearing”, permission was not needed.³⁰⁴

Janabhivyakti, a people's organisation spearheading the struggle, its Chief Functionary Bipasha Paul argues that the Gond Adivasis would not be the only ones to suffer. The proposed mines and an associated 75km coal rail line impact elephant habitat and inhibit migration routes in the forest. There are already a growing number of reports of incidences of human-elephant conflict as the elephants' habitat diminishes.

It is hard to see how the mines will not adversely affect elephants and other native wildlife. The Hasdeo Arand is home to 34 species of mammals, 14 species of reptiles, 111 species of birds and 29 species of fish; these live among the 86 species

³⁰¹ https://www.reddit.com/r/worldnews/comments/f1nxnv/indias_ancient_tribes_battle_to_save_their_forest/

³⁰² <https://silkroadgallery.co.uk/blogs/news/the-gond-artists-face-the-destruction-of-their-forests>

³⁰³ <https://www.theguardian.com/environment/2020/feb/10/indias-ancient-tribes-battle-to-save-their-forest-home-from-mining>

³⁰⁴ <https://www.theguardian.com/environment/2020/feb/10/indias-ancient-tribes-battle-to-save-their-forest-home-from-mining>

of trees, the 51 species of medicinal plants, 19 species of herbs and 12 species of grass.³⁰⁵

But a plan for a proposed elephant reserve in a small remaining unmined area of the Hasdeo Arand forest will mean villagers will be forced to leave there too.

The Government promised compensation and resettlement to those Adivasis impacted by the mines and forced to leave their forest homes, but most of the Gonds know nothing of life outside the Hasdeo Arand. Many fear they will be forced to join the exodus to the suburbs and slums of India's vast metropolises.

Adani argued that it is helping the community, rather than hindering it. “While achieving energy security for India remains our larger goal, the project has begun touching millions of lives. From employing more than 400 adivasis at Parsa East and Kanta Basan we have been working closely to improve education and healthcare facilities in India's hinterlands,” the company said in its website.

Gond Adivasis, who chop wood collected from the forest outside Ghatbarra village, failed to see the upside. Most of them are of the opinion that Mining would bring us close to death. The Adani project is going to devastate everything nature has given us. One-time compensation for the land is not enough – we need much more than money to survive. We need nature to be with us.³⁰⁶

IX

Still poor implementation of Forest Rights Act 2006

Chhattisgarh is home to some of the most marginalized communities, whose traditional ways of living from forest products are under threat from encroachment by mining and other activities. Disha Samaj Sewa Sanstha and Parivartan Samaj Sevi Sanstha working in Kanker district of Bastar region are doing a commendable work.

In Chhattisgarh, the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (FRA, 2006) has the potential to secure rights and livelihoods of more than 7.4 million adivasis and other traditional forest dwellers, who constitute 32% of state population over at 3.02 million hectare in over 11,500 villages. Only 5% of the total SC/ST populations in Chhattisgarh claimed IFR rights out of which 56% claims have been rejected and 44% have been recognized.

³⁰⁵ <https://twitter.com/pallaviti/status/1231548173740470274>

³⁰⁶ <https://www.kractivist.org/indias-ancient-tribes-battle-to-save-their-forest-home-from-mining/>

Forest Rights Claim	Number of claims filed at Gram Sabha	Number of claims recommended to SDCL	Number of claims recommended to DLC	Number of claims approved by DLC	Total number of claims rejected at various levels
Individual	8,56,150	5,14,401	4,43,993	3,98,896	4,55,131
Community	31,515	24,456	24,450	22,610	7,272
Total	8,87,665	8,87,665	4,68,443	4,21,505	4,62,403

Source: Union Ministry of Tribal Affairs

Status of implementation of FRA in Chhattisgarh

Chhattisgarh became the second state in the country after Odisha to recognise the forest rights claims as well as the forest lands acquired by Scheduled Tribes and other traditional forest dwellers.³⁰⁷

Almost a month after forming the government in Chhattisgarh, the Congress government under Bhupesh Baghel started to raise the prices of forest produce and to implement the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA), 2006.

Through a circular dated January 22, 2019, the government started a process of reviewing rejected Community Forest Resources (CFR) rights claims under FRA. According to the Union Ministry of Tribal Affairs' data on the status of FRA implementation as on November 30, 2018, only 57 per cent of CFR claims have been approved in the state.³⁰⁸

Moreover, on 23rd January 2019, Chief Minister Baghel called a meeting of the state's district collectors, divisional forest officers and civil society organisations to discuss issues related to the implementation of FRA.

Baghel has stressed on the importance of giving the forest dwelling communities their due. As he said, "People have been living in forest areas for thousands of years; they should not have to struggle to get their name registered in the revenue records.

While there is a lot of potential land area to be granted to these communities under FRA, the scale of implementation is very low. According to data compiled and analysed by Community Forest Rights-Learning and Advocacy (CFR-LA), to create awareness about FRA, land titles under the Act have been given for only 50 per cent of the potential area.

³⁰⁷ <https://www.firstpost.com/india/after-odisha-chhattisgarh-becomes-second-state-to-recognise-forest-rights-claims-lands-acquired-by-scheduled-tribes-7157191.html>

³⁰⁸ <https://www.downtoearth.org.in/news/forests/chhattisgarh-govt-keeps-poll-promise-starts-review-of-rejected-fra-claims-62979>

The State Government decided to organise Gram Sabhas to get applications for the review process as well as to get new claim applications filed. State Government has given more powers and responsibility to the Tribal Development Department, which is the nodal agency for implementing FRA.

DISHA and Forest Rights Act, 2006

Disha Samaj Sevi Sanstha, popular as DISHA, work focuses on building the capacities of tribal communities, to enable them to claim their basic rights through collective community action along with strategies to improve their livelihoods. Gradually, the organization's sphere of work has expanded to include issues such as livelihood promotion, health, education, civil rights and tribal cultural issues. It primarily works with adivasis and other marginalised sections of society in the Kanker, Sarguja and Dantewada districts of Chhattisgarh.

DISHA, scouts forests for Adivasi settlements to educate residents about the FRA and the need to file individual and community title claims. Keshav Shori, Founder of DISHA said, “In the pursuit of forest land, officials frequently concoct rules, or bring in provisions of irrelevant legislation to lay claim to forest land.” Further he said, “The FRA says land cannot be taken away by the government until forest rights are recognised. Often, rules that apply to non-forest lands, such as the Land Acquisition Act or the Panchayat Act, are used to capture forest land.”

In the thirteen years that the FRA has been in existence, the Chhattisgarh government had done little to implement it. Over the past six years, DISHA took on the onus of helping villagers claim their rights under the Act.

After three years of work, DISHA managed to file Community Forest Resources (CFR) Rights document and out of which 20 villages in Antagarh block of Kanker district were accorded the CFR title in September 2019.

Parivartan and Forest Rights Act, 2006

Parivartan Samaj Sevi Sanstha, popular as Parivartan, was founded in 1980 and it was officially registered under Society of Registration Act in 1989. The organization is based in Bastar region of Chhattisgarh, where two-third of the population is of adivasis. It is strongly advocating adivasis rights in most peaceful manner, which stands as an alternative to the influence of Maoist guerrillas in the Bastar region

Parivartan has over 30,000 adivasis in its immediate sphere of influence and indirectly supporting almost 150,000 adivasis. It puts its endeavour in protecting the

life, living conditions, culture, and dense forest of the adivasis in a revitalizing and regenerative way that adivasis understand. Parivartan is involved in organizing campaigns, public hearings, documentation, legal assistance, construction of water pools and herbal gardens, etc. In its project in collaboration with Siemenpuu Foundation of Finland it focussed on the protection of the Pardhi communities dependent on bamboo work.

Ensuring livelihood among the Pardhis

Parivartan is working among the Pardhis, the most marginalized tribal community in Chhattisgarh. Popularly known as 'Narahar Pardhis', are in minority as in comparison to the Gonds and Marias. The main source of livelihood of this tribe hinges on Bamboo work, referred as 'Basod', the tribe is occasionally nomadic in search of bamboo groves, which might fulfil their purpose and needs. Pardhis craft out of bamboos sieves, mats and storage containers, which are more in the nature of utility articles than anything fanciful with artistic engravings. It is becoming increasingly difficult for the Pardhis to obtain its regular and free flowing supply of bamboo. Since the British rule in India, forests have been rigidly delineated putting restrictions on the accessibility of forest produce for the forest-dwelling communities. Forest bureaucracy has strengthened that by creating hindrances for the tribals and other traditional forest dwellers. In the Neo-liberal era, the Central Government in tandem with the State Governments have been trying to hand over the forest reserves in Chhattisgarh and Jharkhand through the 'back door' to the multinational companies for the purpose of mining. The tribal and forest dwelling communities facing displacement have been protesting against it but it is being crushed by deploying para military forces and police.

In the present scenario, the existing supply of bamboo is getting quickly depleted where the State Government is more interested in extracting bauxite and iron ore in a close nexus with the MNCs. This is even while forest policies require the department to make bamboo available to communities such as the Pardhis on subsidised rates. But since the Pardhis are very poor and command low levels of literacy they are either unaware or completely clueless as to how they may gain access of bamboo from such sources as a matter of right. In such conditions they invariably turn to the market. Though markets are local and underdeveloped the local traders usually fleece the Pardhis and charge them exorbitant rates for the bamboo logs they need for their work. Bamboo logs are usually sold for anything between INR 50 to 80 to them. When the Pardhis are done with crafting the bamboo logs into final products they end up selling their products at extremely low rates to middlemen. Finished products at the end of a week are sold for anything between

between INR 400 to 600. Under no conditions does a Pardhi household ever earn more than INR 1200 to 2500 rupees in a month in this way.

As Aganoo Ram Sahoo, Secretary, Parivatan said, “Parivatan has largely been able to guarantee that the livelihood of the Pardhis is protected. On a priority basis efforts have been made to create homestead plots of bamboo that the Pardhis may be able to access with greater ease. This work was initiated with greater focus since 2013. We have also committed ourselves in bringing about larger structural change by engaging actively with more than a 1000 Pardhi households in our area of activities. Precisely, the break up is 451 families in Kanker, 409 families in Kondagaon, 172 families in Narayanpur and 119 in Balodabazar blocks. Nearly 1195 Pardhi families have been mobilised to work under nomenclature of Pardhi Mahapanchayat. This mobilization of the Pardhis into a Mahapanchayat has taken place with a strong rights based perspective. The Mahapanchayat finds its true strength in a series of village level bodies located in the above mentioned blocks of Kanker district. The vibrancy of such bodies is particularly visible in the locations of Ghotiya and Dokranala where the Pardhis have also taken to cultivation by using ploughs. Pardhis pushed to the margins of the society by the State and other dominant castes, it is not enough to simply enhance livelihood earnings, the Pardhis must influence decision making in the region then it can only be through the Mahapanchayat. One key impact of this process has been that 34 Pardhi people have got elected as ward panchayat members under the Panchayati Raj system adopted in India. Since Panchayats are formally recognized as important bodies of local self-governance as per the Constitution, the involvement of Pardhis as ward members is a significant landmark. One result of this is that 4 primary schools have been opened by the State Government in some of the remotest Pardhi villages.”

The activities of the Mahapanchayat finds added strength emanating out of FRA 2006. FRA ensures land ownership rights to forest communities and also provides a means for communities to establish their usufruct rights over forest produce such as bamboo. Under the FRA the Pardhis have been able to regularize their landholdings, meaning they are no longer treated as illegal encroachments. Out of a total of 384 IFR claims submitted, 138 IFR claims have been approved.. Parivatan has played the important role of building awareness on all such counts, and is currently channelling its efforts into securing not only IFRs but also CFRs based on historical patterns of access/use. This seems like the only means of protecting traditional livelihoods. Pardhis have already started acting like pressure groups which regularly insist that the forest department make bamboo logs available to them at subsidized rates as per the law of the land. A total of 450 families have been registered as bamboo workers or 'Basod Pangiyani' as they are referred in local

parlance. Another 175 families have renewed their registration which was defunct and treated as namesake for long

Pardhis were obstructed through blatant denial of their identity. The Forest Department customarily rejects their claims to being a 'Basod' community whose traditional livelihood is based on bamboo work. It has not been an easy process to establish the identity of the Pardhis as a 'Basod' community, primarily for the fact that many Pardhis do not even as much as have a caste certificate. For this purpose Parivartan has actively striven to help such communities acquire identity proofs and cards that are issued by the government such as smart cards, Aadhar cards, ration cards and the like. Such identity cards which reflect its irrefutable status as a 'Basod' community can be held up against the forest administration. They also serve to mainstream the community into a series of governmental programmes and initiatives, the proper performance of which is in turn ensured by the right based mobilization of the community into a Mahapanchayat. To give a brief tally of such accomplishments 360 families have got new BPL or Below Poverty Line cards allotted to their names. Wielding a BPL card makes it easier for the community to access other benefits and provisions. 67 families have got pucca 48 houses constructed for themselves under Indira Awas Yojana. The Pardhi Mahapanchayat in the time to come hopes to network with other associations of bamboo workers spread over India to create a stronger confederation. Parivartan on its part wishes to see the Pardhi Mahapanchayat organized into a robust institution which is able to represent interest of some of the poorest of the poor in the region in an independent, self-reliant and autonomous way.

However, during this pandemic COVID-19, Parivartan addressed the immediate need for protecting the social and economic security of Pardhis, who are out of reach of administration and migrants labour initiatives were taken. Physical demonstration were conducted on Hand Wash, physical distancing using the mask and how to protect others while sneezing & coughing through videos shared by State Government was done by Parivartan functionaries and community mobilisers and village leaders. Wall writing, pasting of posters and banners were installed to make the Pardhis aware. Parivartan volunteers distributed pamphlets, developed flex, pasted handmade posters and wall writing on Covid 19 at the villages populated by Pardhis. Distributed dry ration, mask and soap distribution in these villages.

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Way Forward

Chhattisgarh has fared poorly with the recognition of CFR rights. There appears to be lack of definite political will to facilitate recognition of CFR rights due to continued dominance of the forest department on the one hand and the continued expansion of industries and other developmental activities over forest rich areas of the state on the other. There is also a lack of understanding of the role and objective of SDLC, and participation of non-government representatives in decision making is abysmal. There is a need for the urgent facilitation of processing claims pending at the SDLC level and a review of all the gross violations of forest rights which have taken place in the diversion of forest land in the state. All titles as community rights/CFR need to be revisited and a revised list may be prepared to ascertain the actual status of CFR rights recognition in the State. Gram Sabha conducted on gun point by deployment of paramilitary forces in presence of SDM in Kalgaon village for extracting 'consent' shows how powerless the 'Gram Sabhas' are. It needs to be corrected and proper procedures need to be followed in cases where there have been lapses. The nodal agency must constitute a team including representatives of CSOs working on FRA in the respective areas, to review the process of CFR recognition.³¹⁰

³¹⁰ http://www.siemenu.org/sites/default/files/siemenu_naa_programme_evaluation_report.pdf

5

Adivasis struggle to survive where inequality rules

The 104.2 million Adivasi in our country constitute 8.6% of our total population. Nearly 20% of India's land mass is Adivasi's predominant area. Adivasis in India can be broadly classified into three groupings. The first consists of populations who predate the Indo-Aryan migrations, and are termed by many anthropologists as the Austro-Asiatic-speaking Australoid people. The Central Indian adivasis belong to this grouping³¹¹. The other two groupings are the Caucasoid and Sino-Tibetan or Mongoloid tribal people of the Himalayan and North Eastern regions who migrated in later periods.

Article 366 (25) of the Constitution defines 'Scheduled Tribes, as “such tribes or tribal communities or part of or groups within such tribes or tribal communities as are deemed under Article 342 to the Scheduled Tribes for the purposes of this Constitution”. The criteria used for classification being geographical isolation, backwardness and having distinctive culture, language, religion and “shyness of contact”.

Adivasis are found in the greatest numbers in Madhya Pradesh (12.23 million, or 20.3% of the state's population), Maharashtra (8.58 million or 8.9%), Odisha (8.15 million or 22.1%), Jharkhand (7.1 million or 26.35%), Chhattisgarh (6.16 million or 31.8%), Andhra Pradesh including Telangana (5.02 million or 6.6%), and West Bengal (4.4 million or 5.5%).

By proportion, however, the populations of states in the North East have the greatest concentrations of Adivasis. Thirty one per cent of the population of Tripura, 34% of Manipur, 64% of Arunachal Pradesh, 86% of Meghalaya, 88% of Nagaland, and 95% of Mizoram are scheduled tribes. Other heavy concentrations are in Dadra and Nagar Haveli, and Lakshadweep (94%).³¹²

The Khasis, Nagas, Mizos, Garos, Karbis, Dimasas, Bodos, Misings, Rabhas, Dauris, Mismis, Daflas, Akas, Serekdukpens are the major Adivasi communities in the North-Eastern and Eastern frontiers of India. The Santhals, Mundas, Hos,

³¹¹ <https://scroll.in/article/773759/adivasis-indias-original-inhabitants-have-suffered-the-most-at-its-hands>

Paherias, Oraons, Konds etc. occupy the central belt of the older hills and plateaus along the dividing line between Indo-Gangetic plain and peninsular India. The Gonds, Bhils, Kurkas, Kols etc are the major tribes in the western region, the Koyas, Todas, Banjaras, etc. in South India and the Onges and others in the Andaman and Nicobar Islands are the remaining Adivasi belts. There are about 550 tribes in India but 414 main tribes besides a good number of sub-tribes are listed as Scheduled Tribes.

Historically, access to, and ownership of, natural resources first stemmed from the principles of Common Property Rights over land, water and forests. When the British colonial rule began, Adivasis and colonial rulers fought a pitched battle over the natural resources. The colonial state began seizing control of these resources through the barrel of a gun. The British Imperialists used these natural resources to fuel their industrialization and profiteering models. In order to ensure uninterrupted access to these resources for the State, elaborate legislations and laws were drafted, thereby alienating the Adivasis from their cultural and historical rights over land, water and forests. Even though a special provision was made in the Indian Constitution for the Adivasis, the ruling class in Post-colonial India had continued with the same model of development.

Mainstream development paradigm pushes Adivasis out of their forests

The struggle for the survival of the Adivasis are inextricably related to their history and to the conditions in which they been subjected in course of time. Today the Adivasis, not only in India but also elsewhere in the world, are continuously being threatened with brutal deliberateness to be submerged. Following the legacy of the British colonial masters, the intention of India's ruling class since Independence has been 'to melt the Adivasi with the mainstream', where the 'mainstream' is modeled on the image of the class-in-power.

As a result, the alienation and exclusion of Adivasis from their historical rights over their natural resources continued in the name of 'national interest', which took the form of large dams and mega industrial and mining projects. In the neo-liberal era in post nineties, this alienation has accelerated and the objective has changed from the so called 'national interest' to market led economic development, a euphemism for privatization of natural resources.

The mainstream development paradigm imposed by the India's ruling class has aggravated discontent among the Adivasis. As described in Chapter 3 titled 'Jharkhand- a new state, old issues and its struggling people' that 'State-sponsored

³¹² <https://www.counterview.net/2019/12/favouring-tribals-and-ignoring-adivasis.html>

destructive development projects –be it mining, industries, firing range, power plants, dams or acquiring land for opening IITs, IIMs or other premier institutions – deprives Adivasis, Dalits, women and the marginalised sections of the basic tools of sustenance which they shape and build lives that retain a freedom from want. Displacement brings them face to face with human and ecological paradoxes with tragic consequences. Alienation, forcible evacuation, the shifting of emotional territories, the schizophrenia of new locales'

Development projects are moreover legitimised as the cost of progress of the nation—a cost being borne by the Adivasis. The Adivasis are being pushed out of their forests and land. Though it's new, the process of pushing the Adivasis from their traditional homesteads to distant frontiers has been happening for years together. There is historical evidence which shows that the eviction of Adivasi peoples has been an age-old process. Their geographical history has been one of incessant displacement and relocation—often with the use of force and violence—deeper and deeper into inhospitable terrain.³¹³

However, the tribal department or forest bureaucracy, lack an understanding of how Adivasis historically 'tilled' their land and survived in the forest. Since the times of the British rule, the “strange and unconventional” Adivasi way of cultivating and living, often nomadic and temporary, was not legally acknowledged even by the meticulous records of the British.

Consequently the state agencies responsible for correcting the historical injustices to these Adivasis end up glossing over this unjust past, not realising that Adivasis have been where they are due to the non-recognition of their way of life by the British colonial rulers. This misconception has been carried over to the post-independent state agencies, evident in the manner in which they have dealt with recognition of rights of genuine claimants.³¹⁴

Adivasi hamlets turned into big prisons

Since Narendra Modi became India's Prime Minister in 2014, the NDA Government at the centre has been accelerating the path previous governments paved. It had turned the nation into a giant prison. Academicians, human rights activists, legal practitioners, journalists among the best brains of the country espousing the cause of the adivasis and the marginalised sections of the masses have been incarcerated for years together under Unlawful Activities (Prevention) Act (UAPA). They have been working for the fundamental rights of the poor and marginalised and upheld constitutional values were being abelled 'Urban Naxals' and harassed to no end. The

³¹³ <https://thewire.in/rights/how-development-excludes-adviasis>

³¹⁴ <https://www.downtoearth.org.in/blog/forests/forest-rights-forgotten-histories-or-deliberate-ignorance--66139>

façade of world's largest democracy has been torn asunder.

The present ruling dispensation of BJP-led NDA Government is a lethal combination of authoritarian and neo-liberal reforms which has been on the rise. The BJP led Central Government has been benefitting the corporate business while curtailing people's freedoms, dispossessing adivasis and dalits of their livelihoods and sharply increasing inequalities. The rising percentage of unemployment has broken all the records.

Adivasi forests, land and homesteads have turned into big prisons, deep into the heart of the country. The para military forces-CRPF, BSF and other security forces have surrounded adivasi villages or hilly areas, occupied their schools, and ran amok in their villages. The security forces murder, pillage, rape and burnt down entire village. As in the Bastar region of Chhattisgarh, it's estimated that 644 adivasi villages were emptied and villagers were put into internment camps. They also forced villagers to join their ranks under the threat of violence³¹⁵. It devastated the adivasis living in Chhattisgarh. When adivasi' homes were burned down, if they hadn't already fled, they were branded terrorists, promised their 'freedom' only if they surrendered it first, and otherwise imprisoned.

In Jharkhand alone there are more than 4,000 Adivasis & Dalits who are incarcerated as alleged Naxalites are kept without even being produced for trial. As Father Stan Swamy, 83- year old Jesuit priest filed a Public Interest Litigation (PIL) in Jharkhand High Court against the government Persecuted Prisoners Solidarity Committee (PPSC) founded by him and Sudha Bharadwaj, to fight for the release of around 3,000 adivasi men and women who had been labelled as Maoists and imprisoned. Most of them have been unjustly labelled 'Naxals'³¹⁶. The court has been quite supportive and ordered the state to provide all the information about all the under-trials in January 2018. The BJP led Jharkhand Government was unwilling to provide the details because it has much to hide. Hence the case has been foisted on both of them to get out of the way.

Father Stan Swamy was arrested by the National Investigation Agency (NIA) on 8 October 2020, from Ranchi and charge-sheeted under the Unlawful Activities (Prevention) Act, 1967 (UAPA) on unfounded charges and he breathed his last on 5th July 2021, which is an 'Institutional murder'. Sudha Bharadwaj earned her reputation as a lawyer who always spoke up for the oppressed. People from all corners from Chhattisgarh would make their way to her, whether to fight against the wrongful acquisition of their land by large companies or their unfair retrenchment

³¹⁵ <https://www.newslandry.com/2020/06/27/fear-and-longing-in-bastar-for-adivasis-in-salwa-judum-camps-there-is-no-way-home>

³¹⁶ <https://www.nationalheraldindia.com/interview/stan-swamy-condition-of-human-rights-in-jharkhand-is-awful-question-govt-and-you-can-be-called-extremist>

from the factory. On 28 August 2018, along with other lawyers, writers and activists, Sudha Bharadwaj was arrested in the Bhima Koregaon case and put in jail under the UAPA³¹⁷.

While moving throughout India during my field visits prior to national lockdown, deeper into the adivasi hamlets in Jharkhand, Chhattisgarh, Odisha, Andhra Pradesh and other states, many of them whom I met recounted the tales of police harassment and torture. During my interactions I came to know that police barge inside adivasi homes to arrest anyone on slightest of pretexts and take them into police custody. They are thrashed black and blue, even administered electric shocks and branded with hot iron rods to extract confession.

During 2019- 20, a total of 1,731 persons died in custody in India and there is almost five such deaths daily and most of the victims are Adivasis, Dalits and Muslims according to a report by United NGO Campaign Against Torture (UNCAT) which is a platform for action of the NGOs committed to stamp out torture worldwide.

Pushed to the condition of impoverishment and continuous harassment by the police or forest bureaucracy, Adivasis migrate to faraway places to escape the horrors at home and join the precarious armies of invisible workers. Despite their sweat, tears, and energy, they were ultimately barred from ever entering a shining new India. Underpaid and overworked, unprotected by labour legislation, often tied to labour contractors, they lived in slum colonies in conditions almost as bad as that of their kin in prison.³¹⁸

However, Adivasis are constantly under assault by outsiders who see them as fossils of our past and attempt to exploit and colonize them while stealing their land, flora, and fauna. The British colonial rule forced them into permanent settlements so they could extract revenue, sold their trees for building railways and military ships, and excavated coal, ore, and bauxite from under their feet. Although the Adivasi bows and arrows were no match for the cannons and muskets fired at them, they maintained some access to their land, forests, and water to survive. Yet, despite these protections, it has been a losing battle to try to keep at bay the national and multinational corporations, aided and abetted by the state, who today steal Adivasi land and forests, perpetuating severe human rights abuses and turning India into world's most unequal nation. The class-in-power and ruling party leaders view Adivasi lands as vast mineral reserves that must be freed from the jungles inhabited by savage people who must be tamed, civilized, chained to work for the nation or they would perish.

³¹⁷ https://en.wikipedia.org/wiki/Sudha_Bharadwaj

³¹⁸ <https://lifestyle.livemint.com/news/talking-point/from-naxalites-to-hindutva-forces-india-s-ideas-of-progress-have-failed-the-adivasis-11160265598747.html>

Naxalism and Adivasis

To put a brave front against the class-in-power launching indignities, humiliation and imposing inequalities, the Naxalites marched into Adivasis forested hills from the agricultural plains organising the Dalits. The Naxalites marched into the Adivasi belts looking for better terrains for guerrilla warfare for their protracted war against the ruling class. Although, for centuries' colonial and independent India's ideas of progress had failed to value the Adivasi world, so the Naxalites have penetrated to confront the state repression and transform it for the betterment of the Adivasis

The Naxalite movement is essentially an act of dissent, a protest. This has been occasionally acknowledged by the government, although the government's actions never reflect this. It extends this attitude to all who question the government's violations of civil rights. The state has preferred to criminalize Naxalites in the name of fighting Naxalism, to the point of waging a full-fledged war against Adivasi populations. Lawyers and activists, who have taken it upon themselves to defend the constitutional rights of citizens, argue that ordinary laws available to the government are capable, if applied equitably, of dealing with any criminal activity of which the state accuses Naxalites. Such laws have not achieved anything except to misrepresent the notion of security: alienating the interests of state security from the security of the population.

In September 2004, the People's War Group and Maoist Communist Centre (MCC) merged together to form the CPI (Maoist) party. This party has flourished in the adivasi areas of central India and predominantly dalit areas of Bihar. Of late it has infiltrated into the hilly and forest adivasi areas of West Bengal. Earlier in August 1998 Party Unity Group, based in Jehanabad, Bihar, merged with CPI (ML) PWG Naxalites/Maoists gained confidence of the adivasis as they stood by their concerns of empowerment and command over resources. They advocated the formation of separate adivasi states in central India and supported the opposition of the adivasis against oppression and exploitative state structure. More specifically, they stood opposed to the Forest bureaucracy and helped the adivasis fetch better returns from the sale of minor forest produce. They also distributed land to the landless agricultural labourers.

Dispossession of adivasi land, forest and water bodies by the state and multinational companies (MNCs) has alienated adivasis resulting in growing resistance against the class-in power. The corrupt modus operandi by the state, political parties and their functionaries and MNCs have terribly angered the adivasis to build up movement against it. Adivasis who have symbiotic relationship water, forest and land, adivasis not only have desire for better development facilities but also want to

be in charge of the processes of development. The Naxalite movement gained footing because it was seen as representing the real interests of the adivasis. Since the neo-liberal reforms in 1990s, apart from Adivasis resistance, Naxalites have been the only major stumbling block to selling land and natural resources to MNCs.

Majority of the Naxal movements have grown in those belts, which are margins of the state, adivasi and mineral rich belts. These areas are abundant in natural resources but suffer from deficient development, chronic poverty, absence of basic physical facilities and connectivity. These pockets, however, are “catchment areas” for both the Government and private investors due to the availability of vast tracts of Government and forested land at throwaway prices, having a large army of labour. In 1991, when neo-liberal economic reforms were launched by the Central Government then it had targeted Adivasi regions even more so than in the past for accelerating industrial development so that economic reforms to serve the ruling class gains momentum. The central point of the reforms was liberalization of the economy, simplifying regulations, giving more roles to the private sector and opening up of the economy to competition.

Second wave of COVID- 19 and Adivasis

In the second wave of the pandemic COVID-19 from March to May 2021 as it wreaked havoc in Mumbai, Delhi, Chennai, Kolkata and other urban cities of India, infections had reported devastated the vulnerable adivasis belts in Odisha, Karnataka, Madhya Pradesh, Chhattisgarh, Gujarat and other states. Deaths in adivasi villages due to lack of oxygen, beds or ambulances have gone unreported or deliberately hidden.

As there no specific protocols to combat the spread of the virus, the government has failed to stop the virus from spreading into adivasi communities in central India tackle its spread. In spite of their relative isolation, members of several tribes in central India tested positive for COVID-19.

Some of the reasons for the spike in infections in closed communities are due to the movement of outsiders and the spread of contact through local markets. The spread has been made worse by nutritional and health discrepancies among the adivasis, as well as a lack of trust in government policies including vaccination and access to healthcare, resulting in viral infections especially COVID-19 being deadlier among adivasis.

Take the case of Odisha, where the State Government's COVID-19 management practices were once hailed by everyone, but the truth is that the government had no

idea how to address the spread of the virus in adivasi areas. Despite having one of the largest adivasi communities in the country, Odisha has yet to develop any guidelines for tackling the situation on the ground.

Adivasis have historically been treated with utmost disrespect and indignity by the state health agencies, including primary and community health centres. Though the Government won't do it, there is utmost need to decentralize COVID-19 management. Furthermore, the government should realize that home isolation is not an effective measure among the adivasis. Adivasi cultures define privacy very differently.

As the government closes its eyes and ears to the needs of adivasis, the situation would degenerate into a crisis similar to the 16th century epidemics that wiped out whole of the adivasi communities.

There was an acute shortage of ICU beds and medicines in Maharashtra's Palghar region as fears mounted over the spread of community infection. Kunbi, Bhandari and Warli adivasi communities as they confronted concerns about the lack of ICU beds.

In the adivasi hamlets of Mysuru and Kodagu regions of Karnataka, however, there were reported a spike in infections. Adivasis belonging to the Soliga community contracted the corona virus infection and there were cases from Jenu Kuruba adivasi community, as well.

Gujarat's Bhil adivasi group has also reported cases of fatal infection in the villages surrounding the Statue of Unity. However, lack of testing and data collection, and suppression of information in these areas led to fragmented information about COVID-19 related deaths among the Bhils.

As Chhotubhai Vasava, an adivasi leader from Gujarat, said, “There is no model for the treatment of the adivasis amid the pandemic³¹⁹. In addition to many cases in the remote belts of Dahod and Panchmahal, in the area surrounding the Statue of Unity, over 34 COVID-19 deaths of Bhils have also been reported. However, only 9-10 deaths were recorded as major cases were unaccounted for. In remote adivasi regions, the communities have locked their areas from outside contact to minimise the spread of infection³²⁰. This is being done by the communities themselves as the state government has failed to address the issues of the adivasis.”

In an Oraon adivasi village of Bargarh in Garhwa district of Jharkhand, 80 people died of infections in the second wave of COVID-19 pandemic. Villagers returning from Ranchi, the state capital from a marriage ceremony were infected and it spread

³¹⁹ <https://www.newsclick.in/COVID-19-Increasing-Cases-Reported-Among-Vulnerable-Tribal-Communities-Central-India>

³²⁰ <https://www.newsclick.in/COVID-19-Increasing-Cases-Reported-Among-Vulnerable-Tribal-Communities-Central-India>

in the village. Activist and journalist Umesh Nazir, who was based in Ranchi, also died of COVID.

The COVID-19 crisis has also fuelled suspicions and anxieties among adivasis contributing to reluctance and fears regarding the vaccination process, as per reports. Meanwhile, the Centre and the state governments have initiated vaccination, but distrust towards government machinery remains strong.³²¹

Highlighting the situation in adivasi belts of Burhanpur region in Madhya Pradesh, Madhuri Krishnaswamy of the Jagrit Adivasi Dalit Sangathan said, “There are huge fever surges, sometimes accompanied by pneumonia-like symptoms. Compared to urban areas, tribal people live in remote areas with mild to moderate symptoms. On the other hand, there is the question of vaccination. Adivasis do not fear COVID-19 as much as the alleged cases of post-vaccination deaths. Many are viewing this as an attack by the government on the poor, especially as last year even the mildly symptomatic were whisked off to COVID-19 centres against their will³²². Also there has been no attempt made by the government to disseminate information about the vaccines and the people who are at potential risk from the vaccine.”

³²¹ <https://www.newsclick.in/COVID-19-Increasing-Cases-Reported-Among-Vulnerable-Tribal-Communities-Central-India>

³²² <https://www.newsclick.in/COVID-19-Increasing-Cases-Reported-Among-Vulnerable-Tribal-Communities-Central-India>

6

Pastoralists' rights squeezed

Globally, pastoralists are vanishing at an alarming rate. In India, they are pushed to impoverishment and drudgery. Herders of cattle, sheep, and goats play a vital role in protecting and restoring fragile ecosystems. Approximately 35 million pastoralists, spread across 200 communities, manage a livestock population of over 50 million animals. Exports of milk, meat, leather, wool, and animals used for traction and manure contribute to livestock raising's foreign exchange earnings.

In today's world, pastoral institutions face the increasing threat of mass displacement from economic factors such as agriculture, population growth, droughts and herd displacements. Pastoralism appears to be losing the battle as a way of life and a production system. Pastoral activities are complex, and it's dependent on the delicate balance between human population, livestock and natural resources. Despite its reputation as one of the most challenging and complex agricultural and natural resource development tasks, pastoralists who were once a powerful economic and political community have been steadily marginalised by non-recognition of its importance and dominance of the sedentary approach to life and livelihoods practised since the time of the British. Promotion of Pine in the lower Himalayas decimated the oak trees of which the livestock population depended, closures in Rajasthan reduced the productivity of the sheep in Western Rajasthan by half while the promotion of irrigation for agriculture in such dry regions resulted in most of Rajasthan falling into the dark zone as far as ground water is concerned. In post-colonial societies, pastoralists continue to remain largely out of the equations of power and there is no power balance between pastoralism and rural agriculture.

The reckless and short-sighted land policies disrupted the movement of pastoral nomad communities, which is so critical for a successful pastoral production system. The Coronavirus and its second wave in most virulent form has pushed the pastoralists to the brink of crisis. While strategizing on combatting climate change, access to grazing lands and movement remains seamless to prevent pastoralists from being displaced and needs to be ensured by the class-in-power.

Nomads were once an important part of India's mainstream culture, living near farmers who relied on their livestock for manure. Their mobile lifestyle was soon challenged by growing urbanisation and factory systems set shortly after the British invasion. The British regarded the grazing lands as "wastelands" and nearly converted them into agricultural areas during their rule.

During her 30-year career as a UN consultant and research coordinator for the League for Pastoral Peoples, Ilse Köhler-Rollefson, said "Pastoralists transform 'waste' into value.". Wastelands, a term that dates back to colonial times, need to be re-evaluated in India. Wastelands in India support the majority of the country's livestock population and play a critical role in food security.

Pastoralists' access to forestland denied or branded encroacher

Pastoralists' access to land and forests is impacted by the consolidation of state forests with the creation of reserve forests, wildlife sanctuaries, and other categories of forests, just as it is for Adivasis and other forest dwelling communities. Notification of state forests has led to pastoralists losing traditional access to and control over grazing lands as in the case of the Banni grassland in Kutch district of Gujarat has been notified as protected forest) and the Bara Bhangal area in Kangra District of Himachal Pradesh, which had been demarcated as a Wildlife Sanctuary.

However, Governments and wildlife organisations have been pushing conservation efforts to save wildlife from extinction, but these efforts have resulted in the displacement of pastoral communities that traditionally lived in that area. Pastoralists once utilized these large areas for grazing.

"Our access to forestlands is restricted by local Forest Department officials. We avoid traversing through the forestlands as the officials demand exorbitant bribes. During the pandemic, this unreasonable rule was not relaxed. The Forest Department did not allow us to access those pasture routes close to our homes, and we could not travel along our traditional pasture routes. This is unfair to our people and livestock struggling to survive within this arid climate." said Sumer Singh Bhati, a pastoralist and an advocate for pastoral community's rights.

The Van Gujjar community, a nomadic pastoral community relies on buffalo-herding for their livelihood and it's a group of pastoralists who move from one place to another for their livelihood needs and cultural beliefs. Van Gujjars inhabit the foothills of Himalayan states like Jammu and Kashmir, Himachal Pradesh and Uttarakhand.

“Forcible eviction and beating of Van Gujjars continued, despite Uttarakhand High Court in Nainital's ruling on June 20, 2007 when it specifically stated that Van Gujjar evictions cannot take place³²³ without recognition and vesting of rights under Forest Rights Act (FRA) 2006. The court heard a Public Interest Litigation (PIL) filed by the Van Gujjar community of Rajaji National Park who were issued eviction notices by the park authorities. Section 4(5) of FRA states that no forest-dweller can be removed from the land under his/her occupation unless the processes of recognition and verification of rights under FRA are complete,” said Tarun Joshi, Co-ordinator, Van Panchayat Sangharsh Morcha.

The Uttarakhand High Court on August 16, 2018 ordered for the removal of Van Gujjar families from the Jim Corbett National Park, it said in no uncertain terms, “The Van Gujjars are a constant threat to the wildlife. The State Government, however, has taken a prompt decision to protect the persons who have encroached upon the river banks and river beds³²⁴. Prima facie the proposal taken to rehabilitate the Van Gujjars is against public policy.” The High Court was responding to the State Government's formulation of a policy to rehabilitate 57 families from the Corbett Tiger Reserve. The Supreme Court had asked to maintain status quo on the order of the High Court³²⁵. This happened on September 10, 2018, after intervention by Tarun Joshi, who appealed in the matter.

Raikas, a community of camel herders from Rajasthan have been assiduously trying to acquire grazing permits for gaining access to Kumbhalgarh Wildlife Sanctuary in the Rajsamand district. Forest officials banned the practice in 2004, citing a letter from the Supreme Court's Central Empowered Committee that recommended a check on commercial activities and grazing ever since³²⁶, the community has had a difficult time using the land.

Konar pastoralists of Tirunelveli and Thoothukudi districts of Tamil Nadu have local sheep breeds like Kilkaraisal, Vembur, and Chevadu which are free-ranging animals and loss of grazing lands would make these native breeds go extinct. The Konars also find it difficult to navigate with their herds through the landscape for their annual migration between wet and dry areas. Most of their traditional routes have been fenced, built-up, taken over by stone quarry, or busy highways cut across it putting the herds at great risk of being run over³²⁷. If it continues they would turn out to encroacher in their land.

³²³ <https://thewire.in/rights/for-how-long-will-van-gujjars-have-to-seek-legal-remedies-for-their-livelihood-practices>

³²⁴ <https://www.downtoearth.org.in/blog/forests/van-gujjars-a-repeat-of-historical-injustice-61655>

³²⁵ https://www.academia.edu/44196265/FOREST_RIGHTS_ACT_FRA_2006_AND_ITS_IMPLEMENTATION_and_VIOLATIONS

³²⁶ <https://india.mongabay.com/2021/01/commentary-policy-measures-do-not-address-increasing-sedentarisation-of-pastoralists-in-india/>

³²⁷ <https://india.mongabay.com/2020/12/commentary-the-disappearing-grasslands-of-southern-tamil-nadu/>

The 2020-21 policy note from the Tamil Nadu animal husbandry department attributes the 6.36% decline in sheep population in the state to the rapid urbanisation of the state with a consequent decrease in grazing lands³²⁸.

Pastoralists and Forest Rights Act, 2006

Pastoralist mobility adds a layer of tenurial complexity that has resulted in comparatively few claims being filed by pastoralist communities under the Forest Rights Act. This mobility results in pastoralist communities using resource rich habitats, such as the extensive alpine pastures of the Himalayas, the arid and semi-arid expanses of Rajasthan and Gujarat, and the grasslands of the Deccan Plateau for part of the year, and village commons in densely settled agricultural communities for a different part of the year. In the former, pastoralist need for access to grazing resources is contested primarily by the forest department, which sees pastoralism as a threat to biodiversity, wildlife, and other ecosystem services. In the latter instance, it is agricultural communities competing for village commons that pose the greatest challenge to pastoralist access to grazing areas. Tenure insecurity characterizes pastoralist rights over both situations.³²⁹

Although the FRA acknowledges pastoralist rights, there have been relatively few efforts on the part of pastoral communities to use it to secure more assured access to forage. In Kutch district of Gujarat, the Maldhari community has made CFR claims over Banni grassland approved by both SDC and SDLC. In Himachal Pradesh, claims have been filed by the Gaddi community, staking claim to traditional grazing rights in what has been declared the Bara Bhangal Wildlife Sanctuary. These claims have yet to be processed.

While moving through 11 states for a Study to Document the violations in the implementation of the Forest Rights and options being locally worked out by Civil Society and communities to assert their rights in general and Community Forest Rights in particular, prior to COVID -19 in March 2020 I found that there were one or few of the people's organisations or social action groups were there to lend their helping hand to nomadic pastoralists for filing their IFR/CFR claims so they find them excluded even from the good CFR titles granted in Gadchiroli district of Maharashtra or Jharkhand. In Gadchiroli, pastoralists live under the mercy of other forest dwellers for running even a CFR meeting in the forest.

Akshay Jasrotia, Convenor of Baijnath Kisan Sabha (BKS) and co-founder of Himachal Van Adhikar Manch, a state level forum of organisations working for speedy implementation of the FRA in Himachal Pradesh and who has been

³²⁸ <https://india.mongabay.com/2020/12/commentary-the-disappearing-grasslands-of-southern-tamil-nadu/>

³²⁹ <https://www.centerforland.org/wp-content/uploads/2019/03/Panel-19-Centre-for-Pastoralism.pdf>

espousing the cause of nomadic pastoralists emphatically puts forth , “Nomadic Pastoralists have to cross over 100 Gram Sabhas but guidelines are unclear. As per the political power in the vote bank politics these nomadic pastoralists, as Gujjars in Himachal Pradesh are the most vulnerable and marginalised section. As wanderers, nomadic pastoralists are always on the move so they have less of political interference. But its habitats are largest in the country. Rajasthan's camel herders, the shepherds of Gujarat and Madhya Pradesh, nomadic pastoralists across the country and goat herders are politically at weaker position as the people's organisations and social action groups working on FRA have been silent on the issues confronting these large section. Silence is not the answer. In Himachal Pradesh we didn't remain silent, the mobility of the nomadic pastoralists in such large majority if the Gram Sabha doesn't accept it then they won't allow anyone to enter Bara Bhangal. If Gadchiroli formula is applied in Bara Bhangal then the pastoralists are the real owners and they won't allow anyone. As per the revenue records in FRA, if in Gadchiroli and Jharkhand the Gram Sabha is the owner of the forest so why not nomadic pastoralists in Bara Bhangal in Kangra district be the owners of the forest? But it's not possible in the Himalayas as there are multiple forests and pastoralists need to be included in it. A small example is these 28 CFR claims in which we lend our support in filing. Apart from this, the process of filing 30-40 CFR claims and some claims from the areas of Nagri. Till its clearance from Ministry of Tribal Affairs (MoTA), a large section of the marginalised population has been left out. In the national level struggles there is discussion of it. There is no effort towards such discourse as there is no representation of the nomadic pastoralists.”³³⁰

“Where there is CFR claim in Banni, which is in Chamba district? Claims were not even filed. There is a Tundah Wildlife Sanctuary in Banni, give them the CFR claim. Zones closer to the protected area have different kinds of conflicts. There is example of Dhauladhar Wildlife Sanctuary as the 28 CFR claims cover the entire sanctuary, which was approved. In Gujarat, there is a Wildlife Sanctuary which was approved CFR title just 7 years ago, which they are practicing and managing efficiently. Now few examples are emerging out of core protected areas of Sundarban Tiger Reserve, Sariska Tiger Sanctuary and Jim Corbett National Park. The core is due to which internationalization continues to create full protection, to garner international gains so that money or rewards keep coming. In Gadchiroli district, 1200 Gram Sabhas has been conferred CFR titles. Hardly any forest left, which does not have CFR title. Shepherds live under the mercy of other forest dwellers. If you have live under anyone's mercy then what's the benefit of FRA? Then delete section C (1) (d) from FRA. Camel owners, donkey owners, goat herders and shepherds have a mobile-

³³⁰ *Interaction with Akshay Jasrotia, Convenor, Baijnath Kisan Sabha, Kangra District, Himachal Pradesh*

linked system. In the mobile pastoral system of the Himalayan landscape nomadic pastoralists have a stronghold,” added Akshay Jasrotia

These are few isolated examples within pastoral communities, although there is growing interest amongst organizations working on pastoral issues to more proactively engage with the FRA as a means of securing herder rights to grazing resources.

Bakarwals and Gujjars of Jammu & Kashmir and Article 370

Bakarwals and Gujjars, the pastoral community constitute 11.9% of the state's population – 1.5 million out of a total population of 12.5 million as per 2011 census. After the abrogation of Article 370, the pastoral community's population of 2 million are the Union Territory's third most populous community after Kashmiris and Dogras.

The Bakarwals and Gujjars are a group of nomads, semi-nomads, pastoralists, and agro-pastoralists. They practice transhumance, traversing a huge swathe of land in the state (now two Union Territories) ranging from the plains of the Jammu region to the lush green meadows of the Valley and the treacherous, barren mountains of Zaskar³³¹. These nomadic pastoralists move with their cattle and livestock, along the beautiful rivers meandering through lush green meadows and lofty mountains. Their day begins with their sheep bleating around, harmoniously in sync with the musical flow of rivers.

Bakarwals and Gujjars have lived on the land that belonged to no one, since 1960 it has been owned by the Government. Despite being scattered throughout Jammu & Kashmir and Ladakh a major portion of Bakarwal-Gujjar population lives in Rajouri and Poonch districts, which lie along the Line of Control. The mountainous terrain, climate and political uncertainty have shaped the life of these pastoralists. Due to army's intervention for quelling the so-called insurgency operations, many pastures have been out of bounds for these pastoral community for decades.

Since 2014, when BJP- led NDA came to power in the Central Government, the newer phenomenon of gaurakshaks patronised by RSS attacking Bakarwals and Gujjars and terrorising them. There has been number of cases where cow vigilante groups attacking the nomadic pastoralists in different parts of the state (now 2 UTs). The BJP-led Central Government had sparked accusations of religious bias against Muslim Gujjars and Bakarwals in only Muslim-majority state and served notices of evictions to them, who were classified as Scheduled Tribes (ST) in 1991.

³³⁰ <https://www.facebook.com/DeraEPirPanjal/photos/a.115019353667261/213757997126729/?type=3>

³³¹ <https://www.firstpost.com/india/adivasis-and-the-indian-state-facing-govt-apathy-and-discrimination-kashmirs-gujjar-bakarwal-tribe-struggles-to-preserve-nomadic-way-of-life-7215331.html>

³³²

Moreover, the state-sponsored practice of charging money from the nomads for ghas-charai (grazing) etc, adds to their woes³³². The process of 'registering' the names of the nomads, during their migration, along with the number of cattle and livestock started during the time of Maharaja Hari Singh. This process has increasingly alienated them from the land and resources that always belonged to them.

Bakarwals and Gujjars are always be at risk of eviction until the Forest Rights Act, 2006 is enacted in the 2 UTs of Jammu & Kashmir and Ladakh. It is not possible for everyone among the impoverished Gujjars and Bakarwals pastoralists to approach the court and seek justice.

The most unfortunate event, for the Bakarwals and Gujjars, the tribal pastoralists was the “forgotten massacre of Jammu Muslims in the wake of Partition in 1947”. Extremist Hindus and Sikhs along with Rashtriya Swayamsewak Sangh (RSS) functionaries actively supported Dogra ruler Hari Singh in the massacre of over two two lakh Muslims. Most of the murdered Muslims were Bakarwals and Gujjars, as it was a conspiracy by the Dogra ruler in collusion with RSS to convert them from majority in the Jammu region, into a minority. It was the time when the people of the princely state of Jammu and Kashmir, starting from Poonch and spreading elsewhere, had risen in protest against the despotic Maharaja whose forces flared up communal violence in the region. Late Ved Bhasin, a senior journalist who never compromised with his secular views was witness to the 1947 violence in Jammu and he recalled that thousands of Bakarwals-Gujjars were killed in broad daylight, and that the Ramnagar Rakh was littered with their bodies. The Bakarwals-Gujjars were also forced to migrate to Sialkot, Pakistan, alongside a large number of Muslims. While moving in batches towards Sialkot, RSS functionaries and Sikh refugees attacked them in the outskirts of Jammu and mercilessly killed most of them. The massacre and subsequent migrations contributed significantly to changing the demography of the Jammu region³³³. Bakarwals- Gujjars were dispersed across different parts of Jammu and became even further marginalized socio-economically. The Indian Government incorporated Article 370 in the Indian Constitution to provide autonomous status to the region, but Bakarwals- Gujjars did not benefit.

According to Bhasin, the RSS played a key role in these killings, aided by armed Sikh refugees “who even paraded the Jammu streets with their naked swords”. Some of those who led the riots in Udhampur and Baderwah later joined the National Conference presently led by Farooq Abdullah and some even served as

³³² <https://www.firstpost.com/india/adivasis-and-the-indian-state-facing-govt-apathy-and-discrimination-kashmir-gujjar-bakarwal-tribe-struggles-to-preserve-nomadic-way-of-life-7215331.html>

³³³ <https://www.forwardpress.in/2020/10/article-370-out-new-domicile-rules-in-jks-gujjars-and-bakarwals-are-a-worried-lot/>

ministers. There were reports of Muslims massacred in Chhamb, Deva Batala, Manawsar and other parts of Akhnoor, with several of them fleeing to the other side or moving to Jammu. In Kathua district too there was the large-scale killing of Muslims and reports of women being raped and abducted. As for the attitude of the state, Bhasin alleged that instead of preventing these communal killings and fostering an atmosphere of peace, “the Maharaja's administration helped and even armed³³⁴ the communal marauders”. He goes on to say that many Muslims living outside Muslim-dominated areas were brutally killed by the rioters who moved freely in vehicles with arms and ammunition even when the city was officially under curfew. “The curfew it appeared was meant only to check the movement of Muslims,” Bhasin said.

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The abrogation of Article 370 has been the rallying point behind the BJP's right-wing politics in Jammu & Kashmir. Prior to this it was the only instance, however, where the BJP challenged and opposed the extension of Forest Rights Act to the State of Jammu and Kashmir by invoking the special status. After abrogation there was a sudden turn around and FRA was extended to J&K as well as if it was article 370 coming in the way of its implementation in the State. Abrogation also led to granting a slew of forest clearances being granted almost immediately after, so it still remains to be seen how rights will be granted. Habitat rights necessary for pastoralists with the exception of the Banni region in Kutch have not been recognised anywhere in the country.

Bakarwal-Gujjars are not plagued only by their Adivasi identity, but also by their Muslim identity that brings on the onslaught from the communal forces patronised by the state. The persecution of the Gujjars and Bakarwals, however, goes back to the Poonch uprising against repressive Dogra ruler, Maharaja Hari Singh and events that unfolded resulting in massacre of them by the Dogra forces in connivance with RSS in 1947. Today, the Bakarwal–Gujjar community is marginalised, since the absence of a sound policy framework makes it easy for the state to deny them adivasi rights.

³³⁴ <https://scroll.in/article/811468/the-killing-fields-of-jammu-when-it-was-muslims-who-were-eliminated>

³³⁵ <https://scroll.in/article/811468/the-killing-fields-of-jammu-when-it-was-muslims-who-were-eliminated>

³³⁶ <https://www.epw.in/engage/article/why-kathua-case-cannot-indias-oppressive-nation>

³³⁷ <https://www.firstpost.com/india/adivasis-and-the-indian-state-facing-govt-apathy-and-discrimination-kashmirs-gujjar-bakarwal-tribe-struggles-to-preserve-nomadic-way-of-life-7215331.html>

The Kathua rape and murder is an extension of the atrocities meted out to pastoral community to evict them from their land and deprive it of the basic right to life, which is how the overall functioning of the state in these sites of exception is ensured.³³⁶

The tribal nomadic pastoralists, like everyone else in the state, are very apprehensive about the plans of the Central Government. Bakarwals-Gujjars are not the inhabitants of a particular region of the Jammu & Kashmir as they keep travelling because of their nomadic life. The move to abrogate article 370 divided their home as they live in all parts of the 2 UTs — Jammu, Kashmir and Ladakh— in different times of the year.³³⁷

COVID-19 and its second wave, Lockdown and Pastoralists

Since centuries, pastoral communities have moved from place to place to protect their livelihood. Nomadic pastoralists have to ensure that their large herds get indigenous organic feed. Even in the midst of a pandemic, they cannot afford to remain indoors to survive. It was imperative on the part of the administration and the concerned authorities to ensure that pastoral communities were educated enough to protect themselves from deadly virus, but it was never done.

Pastoralists are required to be with their livestock throughout the day to feed them. Sun hovering over their head in the scorching heat made it difficult for the pastoralists to put on N95 or surgical mask, while moving with their livestock. When the temperature rose, the pastoralist found it difficult to use a mask while taking their herd to the fields and grazing grounds. Instead of mask, they quickly wrapped gamucha (a traditional thin, coarse cotton towel, often with a checked design) across their face whenever they confronted policemen patrolling on the road.

Pastoralists move with large herds of livestock, traversing long distances and passing through a multiple states. They would use selected markets to sell livestock products and to buy items necessary for themselves and their livestock. Income is derived from the sale of milk, wool, leather, meat, and other livestock products along the routes and the access to those markets. Pastoralists' primary source of income, livestock trading, was also affected by false rumours spreading that the disease spread this way. With many markets closed and transportation becoming more difficult, India's meat trade collapsed, causing loss of income for sheep and goat herders. During the lockdown, pastoralists also faced severe fodder shortages, requiring them to suspend travel. Many pastoralist families lack the financial means to purchase fodder from open markets, making them among the most marginalized communities.

³³⁶ <https://www.epw.in/engage/article/why-kathua-case-cannot-indias-oppressive-nation>

³³⁷ <https://www.firstpost.com/india/adivasis-and-the-indian-state-facing-govt-apathy-and-discrimination-kashmirs-gujjar-bakarwal-tribe-struggles-to-preserve-nomadic-way-of-life-7215331.html>

Due to lockdowns, pastoralists have been unable to migrate or access their areas during the season. Many of the pastoralists during the pandemic outbreak in 2020 and in the second wave in March- June 2021, were reported to be stuck in other states/districts without access to rations and fodder for their livestock. The milk economy has also been severely impacted by the lockdown, as both procurement and sale have been disrupted. The nationwide lockdown in 2020 and in the second wave in 2021 of the pandemic. Thousands of Bakarwals and Gujjars, another nomadic pastoral tribe, have missed their traditional spring migration due to the lockdown imposed by the government to curb COVID-19 and its second wave.

The Rajaji National Park was reported to have a critical zone encompassing 30 km of the park and during the national lockdown restrictions were imposed on Van Gujjars to access the park, who have living there for generations together, as per the advisory. The forest department also destroyed several quintals of milk, which the Van Gujjars sold in Haridwar milk dairies in an effort to prevent them from reaching the cities.

Women pastoralists, in the majority, are illiterate, but have considerable experience and knowledge of livestock, their management, and their feeding behaviour. Therefore, they mix feed mixtures, pick fodder, or gather bush and tree products as feed. Women of nomadic pastoralist families are at a greater risk of hardship and vulnerability.

Pastoralists around the country confronted hostile policing system including the harassment by forest guards. Amidst the outbreak, the regulation and control over their movement escalated during the most crucial time, i.e., their move towards the summer pastures. While some state governments exempted their movement like the transport of essential commodities, the shepherds who had gone to their farms were stuck and unable to join their flocks back³³⁸

Second Wave of COVID -19

India was battling a second wave of COVID-19 infections between March and June 2021, which was in its virulent form killing many lakhs in rural areas. The spread was so fast in the rural areas that ravaged entire villages of Uttar Pradesh, Uttarakhand, Gujarat, Bihar and many other states. Pastoral communities, who had limited information about the symptoms, preventive measures, diagnosis, treatment and vaccination, were becoming silent victims. A brief by the League for Pastoral Peoples and Endogenous Livestock Development claims that pastoralists make up some one per cent of the Indian population or about 13 million people³³⁹. The second

³³⁸ <https://www.actionaidindia.org/wp-content/uploads/2020/08/Ebook-1-Pastoralists-During-Covid19-l-Study.pdf>

³³⁹ <https://www.actionaidindia.org/wp-content/uploads/2020/08/Ebook-1-Pastoralists-During-Covid19-l-Study.pdf>

wave endangered their lives and the absence of robust data on them is worrisome.

Mobile livelihoods are a defining and distinct feature of pastoralists. Livestock survival depends on it. Since last year, various reports have discussed the steep costs of the government's lockdown decision. Pastoral communities and their livestock are both affected by these restrictions.

Since 2020, the steep costs of the government's decision to impose lockdowns paid by pastoralists have been widely discussed. These restrictions hurt not only the pastoral communities but also their livestock³⁴⁰. Pastoral communities and their livestock are both affected by these restrictions. Pastoralism is practiced in arid and semi-arid areas and local grazing lands are unable to cater to fodder requirements³⁴¹. Since pastoralists live in arid and semi-arid environments, local grasslands aren't suitable for fodder production. Pastoralists who were unable to migrate during the second wave of the pandemic were concerned that existing water and forage resources were inadequate to feed a large number of animals, a problem they were well aware of from 2020's national lockdown.

With the second wave wreaking havoc in rural areas and lockdowns being imposed, the informal market of milk and milk products were in Jamnagar has being closed for an indefinite period and the families of these nomadic pastoralists bore the brunt.

There is evidence across the world which shows that pastoralism was a way where hostile/ fragile ecosystems were inhabited. While agriculture based civilizations developed in the fertile valleys and plains dependent as it were on a continuous supply of fresh water provided by the perennial rivers, a different type of civilization developed on the basis of pastoral economies that could move to where the fodder and water was. These communities engaged with sedentary ones converting grain stalks left standing in the fields into much needed dung to fertilize the fields in time for the next crop. Industrialisation and closure movements on one hand and the need to protect the disappearing forests on the other ignored the traditional role played by pastoralism in fragile alpine pastures, desert, mangrove and montane ecosystems. Purnendu S. Kavoori on the other hand in his book *Pastoralism in Expansion: The Transhuming Herders of Western Rajasthan (Studies in Social Ecology and Environmental History-1999)* talks of the changes made by pastoralists to adapt to changing conditions. He focuses on the resilience of pastoralists to changing conditions, a traditional knowledge that they have inherited over centuries.

In *Dialectics of Nature*, Engels writes: *Let us not, however, flatter ourselves overmuch on account of our human victories over nature. For each such victory nature takes its revenge on us. Each victory, it is true, in the first place brings about*

³⁴⁰ <https://www.telegraphindia.com/opinion/right-of-passage-covid-and-pastoral-communities/cid/1819606>

³⁴¹ <https://www.telegraphindia.com/opinion/right-of-passage-covid-and-pastoral-communities/cid/1819606>

the results we expected, but in the second and third places it has quite different, unforeseen effects which only too often cancel out the first. The people who, in Mesopotamia, Greece, Asia Minor, and elsewhere, destroyed the forests to obtain cultivable land, never dreamed that by removing along with the forests the collecting centres and reservoirs of moisture they were laying the basis for the present forlorn state of those countries. When the Italians of the Alps used up the pine forests on the southern slopes, so carefully cherished on the northern slopes, they had no inkling that by doing so they were cutting at the roots of the dairy industry in their region; they had still less inkling that they were thereby depriving their mountain springs of water for the greater part of the year, and making it possible for them to pour still more furious torrents on the plains during the rainy seasons.

The story of the great dust bowl that overtook the Prairies of North America is well known to us. Learning from this Stalin decided not to cultivate the Steppes, relying instead on developing shelter belts for the South to shelter it from the Cold North Wind. Ecological issues as we know them now were however not that well grasped and hence a few decades later, Khrushchev investing heavily in cultivating these wildernesses. USSR paid the price for these blunders one they never fully recovered from. The story of the disaster done to pastoralism in Mongolia is no different.

In India the relevance of the Habitat in determining the local breeds is only now only surfacing sharply Approaches and experiences of NDDDB in development of Gir - a promising Indigenous breed. It is now known that what was traditionally known as nondescript breeds actually have very defined properties. The Chilika water buffalo was earlier ignored due to its low productivity. Now, it is being recognised for its survival in productivity in low cost conditions Chilika Buffaloes in Orissa – A Unique Germ plasma – B.N. Patro, P.K. Mishra and P. K. Rao. The Banni Buffalo that can survive in harsh and arid conditions is another such recent discovery <https://indianexpress.com/article/india/the-incredible-banni-buffalo-breed-in-arid-kutch-a-village-of-30-families-that-supplies-rs-2-2-crore-worth-of-milk-a-year-4961014/>.

Given issues related to Climate Change and the increasing cost of agricultural production local knowledge embedded in the different ecological systems will help us uncover the relevance of such traditional systems as a cost effective method of promoting and developing livelihood options outside of the framework that demands development of scarce water resources and the resultant displacement that goes with it.

7

Crisis for Fishers and Fish workers further deepens

Fisheries provide direct livelihoods to more than 20 million fishers and fish farmers. The fishing industry contributes INR 1.75 lakh crore to the gross value added of India's economy every year. The Indian fishery sector leads the way in terms of export earnings, and ranks among the top agricultural commodities exported.

Rivers in India flow over 17,000 miles and other water channels cover over 70,000 miles. Marine resources include the Indian Ocean, Arabian Sea, as well as many Gulfs and Bays. India is now the third largest producer of fish and the second largest producer of inland fish in the world. In addition to being a major foreign exchange earner, it is also a source of cheap and nutritious food.

Inland Fisheries

Fishing in India is known for its diverse range of indigenous fisheries, with a wide range of inland fisheries. Rural communities relied on fisheries for their food security and livelihood. The fisheries sector in India now contributes 60 percent of the country's fish production and provides jobs to about 145 million people. It's more productive and sustainable to provide food security and create jobs for small, landless, and marginal farmers. The fish producing states of India are- West Bengal, Andhra Pradesh, Gujarat, Kerala, Tamilnadu, Maharashtra, Bihar, Karnataka, Orissa, Uttar Pradesh, Chhattisgarh etc. In West Bengal, inland aquaculture emerged as a first growing enterprise and a stable alternative to the declining capture fisheries³⁴². West Bengal is the only state in India, where fishes have been cultivated in every types of water bodies' be it brackish water, sweet water, sewage water and marine water as well.

³⁴² https://www.ripublication.com/irph/ijfas16/ijfasv6n1_06.pdf

However, inland fisheries includes riverine fisheries, reservoir fisheries, wetland and local water body fisheries. Several attempts have been made since 1955 to develop suitable sampling techniques for estimation of catch in inland fisheries, but none have been conclusive.

Recently, the Central Inland Fisheries Research Institute (CIFRI), Barrackpore came up with a method for collecting data about some of the important still water areas around the world. Fish production is assessed using different sampling methods in each group. Data gaps remain not only geographically but also in terms of several sources of inland fisheries such as rivers, canals, etc. Statistics on fish production in the inland sector are collected by the State Governments. Data collection requires a significant amount of materials and resources and the cost is not proportional to the volume of fish produced. As a result of the vast and diverse nature of water sources, inland fisheries present several challenges and it is imperative to develop a cost-effective approach.

Data on fish production in the inland sector are collected by state governments. Regular data collection involves a considerable amount of resources, and the cost incurred is not proportional to the amount of fish produced. As a result of the diversity and abundance of inland water resources, inland fisheries pose several challenges that require cost-effective methodologies today.

In the 1990s, the inland fisheries sector registered a growth rate of 6.55%. Aquaculture accounts for about 75-80% of all fish produced in inland waters. Fisheries have been given low priority as a result of the multipurpose use pattern of inland waters and their prominence relative to other production systems has not been recognized in most riparian states. Thus, most of the inland open water resources have suffered habitat degradation along with low fish yields. This has also resulted in fewer employment opportunities in rural areas.

Fisheries play a crucial role in sustaining wealth and economic growth of small scale inland fisheries. In terms of poverty alleviation and women's empowerment, the fishery sector plays an important role. Likewise, fishing is also a sector where females engage in a wide range of activities. Fish capture is dominated by men, but post-harvest activities like fish processing, retailing, and trading are usually handled by women. Poor and illiterate women of fishing communities are involved in post-harvest activities since high skill and large amounts of capital are not necessary. Women make up a large percentage of small-scale fishers. Fisheries were often the main source of income for families, although men control most of the household's cash-generating activities. Fishing activities play an important role for the disadvantaged women in the fishing villages, where a significant number of women

are engaged in fish related activities as part of the day-to-day struggle for economic and social development.

Coastal West Bengal has vast marshy areas, brackish water in Orissa and Andhra Pradesh, and a multitude of lakes and ponds in Uttar Pradesh, Rajasthan, Madhya Pradesh, Andhra Pradesh, Bihar and West Bengal.

Approximately 40 percent of the total catch comes from inland waters. Nearly 6.5 times more fish have been produced in inland waters over the past forty years. In recent years, inland fisheries have undergone rapid changes in both raising methods and preservation. In contrast to the northern states of India, whose production has remained flat over the past few years, the southern and eastern states have made rapid progress toward reaching self-sufficiency in fish production.

Marine Fisheries

India is a tropical country with multi-species fishery in the marine sector³⁴³. For fishing from the sea, there are many types of gear and fishing crafts available. Prior to 1965-66, landings were mainly accomplished with non-mechanized indigenous crafts and gears and landings remained below one million tonnes during this phase. In the second phase, which covers the period up to 1985-86, the major developments were increased mechanization, improved gear materials, motorization of country crafts, expansion of export trade, etc. The last phase was after 1986. The mechanization process, motorization of crafts, and fishing on multi-day voyages all began during this phase. The vast coastlines in south-eastern and south-western India offer tremendous opportunities for marine fishing.

India's vast coastline - more than 8,000 kilometres long - is an ideal fishing ground. It supports a thriving marine fisheries industry, which contributes to the country's food security while supporting about four million fishers and their families. Over the past few decades, however, India's marine fishing industry has changed dramatically. Fishing, once dominated by small-scale and artisanal fisher folk who fished mostly for subsistence, has now become commercial and industrialized, with larger vessels such as trawlers and purse seines catching larger volumes of fish at one time. Traditional fishing has evolved into commercial fishing, and there has often been disgruntlement among local fishing communities as a result. In India, too, the rapidly expanding industrialized fishing operations along its coast seem to be seeking out migrant workers to meet their large manpower needs.

On the basis of ecosystem structure and functions, the Indian coastline can be divided into 22 zones. Indian boats range from traditional catamarans, masula boats,

³⁴³ <https://core.ac.uk/download/pdf/33019161.pdf>

plank-built boats, dugout canoes, machwas and dhonis to fibreglass motorboats and trawlers with mechanical motors.

COVID -19 and fishers and fish workers

The first, then second wave of COVID-19 and subsequent lockdown has left the Indian fisheries in the lurch. Fisheries have reported severe economic losses around the globe, and in all cases, export-driven fisheries with complex supply chains have suffered the most. While the pandemic may have triggered the crisis, India's barrel was already stuffed full of decades of well-intentioned but ill-fated policies, unregulated growth, and markets that had been unstable.

Fisher folk communities hit by cyclones last year lost almost nine to ten months of fishing time in the first and second waves of pandemic. After COVID-19 hit them hard, months after the cyclones, the people were still walking to the fisheries to claim compensation. In addition to the COVID-19 pandemic and the cyclones, fishers face a 45-60-day fishing ban, resulting in more days without fishing.

Deep-sea fishers typically stay on the ocean for two to four weeks, but sometimes they stay for as long as 40 days, just in a few places. As early as the lockdown began, many of them were still at sea, returning to shore periodically. As they arrived at harbours with their huge catch, they were shocked to see empty fish landing centres. When they walked into their coastal villages, the fish markets were closed. There were no women vendors.

Women are usually seen on the streets selling fish, but all of them have disappeared. “Even though some fishing happens, the women are not able to sell because they cannot ride a cycle like some male vendors do, and there's no public transport,” said Pradip Chatterjee, President of the National Platform for Small Scale Fish Workers (NPSSF).³⁴⁴

Sundarban Mangrove Forest and Fishers

Sundarban, is pronounced, 'shundorbon' in Bengali, simply meant the dense forests of deltaic-coastal Bengal, characterized by the tiger, the crocodile, and the kamot (any of the few species of Sundarbans river sharks). Sundarban stand for the forest in India and Bangladesh, though physically undivided, politically and administratively they are separate entities and hence referred to as the Indian Sundarban and Bangladesh Sundarban, respectively. In the non-forest administrative circles of West Bengal, 'Sundarban or Sundarbans affairs' would usually mean the economic,

³⁴⁴ <https://thewire.in/rights/coronavirus-lockdown-climate-hit-fishers-livelihood>

social, or administrative issues connected with the non-forest areas of the 19 community development blocks (sub-districts) in the districts of North 24 Parganas and South 24 Parganas in southern West Bengal. The terms also stand for the region in general, either forested or settled, south of the Dampier- Hodges Line, which once marked the northern borders of the Sundarbans Forests³⁴⁵. This Sundarbans, i.e. the 19 Community Development (CD) blocks plus the forest area, appears in United Nations Educational, Scientific and Cultural Organization (UNESCO) and Government of India documents as the Sundarban Biosphere³⁴⁶ Reserve (SBR) and a world heritage site. This SBR is also occasionally referred to as the Indian Sundarban Delta (ISD). The biosphere reserve is part of the Sundarban, the world's largest mangrove forest straddling India and Bangladesh. It is home to an estimated 425 species of wildlife, including 300 species of birds and 42 species of mammals, including the royal Bengal tiger³⁴⁷. However, Sundarban consists of roughly 4,200 square km of reserve forest and 5,400 square km of non- forested area.”

Agriculture and fishing predominate in the Indian Sundarban, in the Bay of Bengal, which is home to 4.5 million people. As many as 54 of the 104 islands support human settlements and one in five households now has at least one family member who has migrated out of the region for better employment opportunities.

The forest lies outside village boundaries and hence no gram Sabha can lay claim to CFR in the classic way outlined in the Act. Currently on 20% of the Community access the forest for fish and honey, being their traditional occupation since long. Through many a struggle and signature campaign as well, fishers have asserted their rights while protesting atrocities heaped on them by Forest officials who more often than not are mistaking the wood for the trees.

Sundarban and cyclones

Over just the past three years, the Sundarban, which is home to close to five million people, has been battered by four tropical cyclones — Fani (May 2019), Bulbul (November³⁴⁸ 2019), Amphan (May 2020) and Yaas (May 2021). On each occasion, the region has suffered damage because of gale winds and breached embankments, leading to ingress of sea water³⁴⁹. The storm did not breach the river embankment nor make the residents homeless, as it did elsewhere³⁵⁰.

³⁴⁵ <https://www.scribd.com/document/260874788/The-Sundarbans-Fishers>

³⁴⁶ https://sportdocbox.com/67411771-Game_and_Fish/The-sundarbans-fishers-coping-in-an-overly-stressed-mangrove-estuary.html

³⁴⁷ <https://india.mongabay.com/2019/05/demand-for-fra-implementation-in-the-sundarbans-echoes-in-2019-general-elections/>

³⁴⁸ <https://www.thehindu.com/news/national/other-states/ripples-from-cyclone-yaas-and-surg-ing-tides-devastate-the-sunderbans/article34678971.ece>

³⁴⁹ <https://www.thehindu.com/news/national/other-states/ripples-from-cyclone-yaas-and-surg-ing-tides-devastate-the-sunderbans/article34678971.ece>

³⁵⁰ <https://www.pixstory.com/story/jharkhali-sabuj-bahini-and-their-mangrove-plantations-protects-village-against-cyclones/40038>

When cyclone Yaas hit on May 26, 2021 it inundated several coastal villages in the Sundarban. However, Jharkhali, a low-lying village in the South 24 Parganas district of West Bengal, did not face a strong impact. The storm neither breached the river embankment nor rendered the residents here homeless, as it did elsewhere. Surrounded by three rivers, Matla, Bidyadhari, and Herobhanga, the region is cyclone prone and the villagers have previously been hit by cyclones, including Aila (May 2009), Fani (May 2019), Bulbul (November 2019), Amphan (May 2020), before Yaas in May 2021.

The protection from Yaas can, in part, be credited to the mangrove saplings that the villagers of Jharkhali have grown at the embankment, meant as a coping mechanism against cyclones and tidal waves. Around 300,000 mangrove saplings have been planted here since 2017³⁵¹.

Women of the Jharkhali Sabuj Bahini, not for profit organisation formed in June 2005, and Akul Biswas, a visually impaired person, led these villagers, mostly housewives and widows, to form the organization and take up the plantation effort.

The mangroves help hold back the strong blows of the high tidal waves³⁵². The river embankments are protected as the root of these mangroves grips the earth tight and that resists landslides.

Mangrove forests, nature's buffer against disasters, are imperilled by unregulated coastal development, shrinking of deltas and climate change linked extreme events³⁵³. The degrading health of mangroves affects their resilience and recovery potential against climate change consequences like sea-level rise³⁵⁴.

Bhitarkanika Mangrove Forest

Odisha's Bitarkanika mangrove system is one of the largest in the subcontinent, and it is home to salt water crocodiles and huge range of other creatures. It is also the world's largest mass nesting site for Olive-Ridley turtles. The Bhitarkanika sanctuary is located in the north-eastern region of Kendrapara district of Odisha and the sanctuary covers an area of 672 square kilometres of mangrove forests and wetland³⁵⁵. The muddy creeks and mangroves at Bhitarkanika are part of a tidal maze formed by three rivers. The park is home to more than 215 species of birds.

The population of the saltwater or estuarine crocodile has increased in the water bodies of Odisha's Bhitarkanika National Park and its nearby areas in Kendrapara district

³⁵¹ <https://mangroveactionproject.blogspot.com/2021/06/map-news-issue-523-june-19-2021.html>

³⁵² <https://www.getbengal.com/details/west-bengal-government-executes-massive-mangrove-plantation-in-sundarbans>

³⁵³ <https://india.mongabay.com/2021/06/mangrove-plantation-drives-to-protect-jharkhali-from-cyclones/>

³⁵⁴ <https://www.getbengal.com/details/west-bengal-government-executes-massive-mangrove-plantation-in-sundarbans>

³⁵⁵ <https://mangroveactionproject.blogspot.com/2021/03/map-news-issue-517-march-27-2021.html>

Bhitarkanika is also the largest mass nesting site for the Olive-Ridley turtles, followed by the coasts of Mexico and Costa Rica. Every year, between the months of November and April, the offshore waters of the Bay of Bengal and the Indian Ocean witness a flurry of action as the turtles³⁵⁶ make their way to beaches along India's south-eastern coast to nest.

Using Earth's magnetic field for orientation, this species of ocean wanderers' journey several thousand kilometres to the beaches of Odisha, one of the largest mass-nesting sites in the world.³⁵⁷

Bhitarkanika is world's largest rookery of sea turtles. After between 45-65 days, the eggs begin to hatch, and the beaches are swamped with crawling turtle babies, making their first trek towards the vast ocean.

In 2020 due to restricted movement of people because of the ongoing COVID-19 lockdown, over 800,000 Olive Ridley turtles safely returned to the coasts of Odisha, at the Gahirmatha beach and the rookeries in Rushikulya, for mass nesting in late March. With no human interference, the hatchlings began emerging from the sand and started their journey to the sea at the start of May 2020.

Olive Ridley turtles mate in the ocean and females can store sperm throughout the breeding season, enabling them to produce one to three clutches of eggs at intervals. Like all sea turtles, the Olive Ridley females nest on the beach where they were born and they lay 50 to 200 eggs in each nest and return to³⁵⁸ the ocean shortly after.

Bhitarkanika and Cyclone Yaas

Bhitarkanika national park, was ravaged by Cyclone Yaas that made landfall May 26, 2021 north of Dhamra port near the park. There were hundreds of trees uprooted by the violent winds, mostly casuarina, palm, coconut, and other trees. The crowns of many other trees were severely damaged. Many mangrove trees were also battered. Mud houses were washed away, saline embankments destroyed, and agricultural land inundated by salt water in Satabhaya, Kanhupur, Barahapur and other seaside villages within the park.

It wasn't the first time Bhitarkanika was hit by a cyclone. Amphan in 2020 and Fani in 2019 also damaged large areas of the national park³⁵⁹. But the area was not greatly impacted by the super cyclone in 1999 because of the presence of dense mangrove forest.

³⁵⁶ <https://www.rfi.fr/en/podcasts/international-report/20210318-head>

³⁵⁷ <https://mytvbuffalo.com/news/offbeat/video-over-14-million-olive-ridley-turtle-babies-scramble-towards-the-sea>

³⁵⁸ <https://thelogicalindian.com/environment/odisha-baby-olive-ridley-turtles-21002>

³⁵⁹ <https://www.downtoearth.org.in/news/natural-disasters/cyclone-yaas-fells-hundreds-of-trees-in-bhitarkanika-hit-on-fauna-being-assessed-77129>

Though Bhitarkanika National Park and Similipal National Park experienced negligible damage due to their dense tree cover as tropical Cyclone Yaas barrelled through coastal and Northern Odisha. Mangroves with their intricate root system that stabilizes the coastline emerged as a protective barrier in Bhitarkanika, and at Similipal National Park in Mayurbhanj district minimized the damage³⁶⁰.

Tawa Matsya Sangh

The Tawa dam, in Hoshangabad district of Madhya Pradesh, tells a story of success where the people displaced charted their own rehabilitation by fighting for their water and land rights.

The Tawa Matsya Sangh (TMS), a cooperative of fisher folk in Tawa formed on October 3, 1996, has helped 1000 people relocated around the Tawa reservoir live a contented life today. In Tawa, displaced people played a key role in managing natural resources, setting a precedent. Villagers did not have fishing rights, they had to poach in the reservoir. Getting rightful ownership entitles them to fish and prevent poaching. Anger and discontent began after a dam was built on the 172 km Tawa River, one of the longest tributaries of Narmada.

The Tawa Matsya Sangh (TMS) was formed after a struggle led by the Kisan Adivasi Sangathan, in response to which the State government granted exclusive fishing rights to displaced fishermen. It is more than just democratizing the polity that the TMS has accomplished. It has made a significant contribution to the economic and ecological development of the region. Since the federation began operating at the reservoir, fish production has increased, and that too in a sustainable way. Comparisons of the various fishing phases in the reservoir provide insight into who manages the fisheries best.

The TMS recognizes that the economic security of the displaced tribal persons is closely connected to the ecological stability of the region. Thus, it not only provides marketing facilities to adivasi members, but also regularly stocks fish seeds in the reservoir.

However, in 2006 the Federation lost its license to fish in the reservoir as the State's nodal fishery body, the Madhya Pradesh Fisheries Development Corporation (MPFDC), wanted to benefit from the rights. The Federation continued to operate after that also.³⁶¹ In an incident, the Forest Department seized their boats which led to huge protests by the adivasis.

First the federation lost its fishing rights. Then in April 2014, they lost their leader, Sunil Gupta, popularly known as Sunil Bhai, rose to prominence in 1995 when he led the struggle of the adivasis displaced by the reservoir.

³⁶⁰ <https://www.newsbytesapp.com/news/india/luxuriant-tree-cover-withstood-cyclone-yaas/story>

³⁶¹ <https://www.indiawaterportal.org/articles/tawa-matsya-sangh-loses-its-leader>

Wular Lake threatens livelihoods of Fishers

Kashmir's largest flood basin, Wular Lake, has long been a source of fishing and other livelihoods for rural communities, but shrinkage, siltation, and ecological degradation have taken their toll.

Elderly fishermen who fished in Wular Lake in their youth, when the expansive lake, tucked into the lush green mountains of Bandipora district in north Kashmir, was abundant with fish. The fish have almost vanished now. For generations, thousands of Kashmiris living on the fringes of water bodies have relied on fishing and collecting water chestnuts and fodder for their livelihoods. But with the water bodies shrinking in size due to encroachment and in depth due to siltation, their livelihoods are at stake³⁶². Their livelihoods are at stake as the water bodies shrink in size due to encroachment and in depth due to siltation.

Wular's shores support 32,000 households, including 2,300 fisher households, according to a study by Wetland International. Fish diversity and fish production in Kashmir, however, have declined sharply in recent decades. Some of the local fish species have even become endangered or threatened. Water bodies are being encroached upon, silt is being deposited, and pollution is a major contributor to the decline.

Loktak Lake: Fishing community struggle for survival

Loktak Lake, the largest freshwater lake of Manipur, is the lifeline for the people of Manipur. It holds much more significance for the fisher folk community. This lake is their primary source of livelihood³⁶³. But now it has become a fight for survival for the fisher folk community. Government policies announced to conserve the lake is posing a huge threat to the fishers as most of them lack any alternative livelihood skills.

Situated at a distance of 53 km from Imphal, the state capital of Manipur. Loktak Lake is best known for its floating islands³⁶⁴ and floating huts or Khangpok built by fishermen on the phumdis, a series of floating islands. About 50% of Manipur's fish production area is in Loktak, which covers about 26,000 hectares. About 12% of Manipur's population depend on its resources.

The removal of a large number of fish culture ponds from the core area of the lake has caused massive economic displacement. In 2006, the Manipur government enacted the Manipur Loktak Lake (Protection) Act aimed at conserving the lake.

³⁶² <https://science.thewire.in/environment/kashmir-wular-lakes-livelihood/>

³⁶³ <https://www.krctimes.com/guest-column/manipur-phum-namba-is-practiced-in-the-region-since-time-immemorial/>

³⁶⁴ <https://www.eastmojo.com/news/2019/12/31/manipurs-loktak-lake-fate-of-the-floating-wonder/>

But the government was oblivious about its impact on the fishing community.³⁶⁵ Making things worse for the fishing community, in November 2011, an eviction drive to vacate the fishers from the lake was launched. During the same time the Loktak Development Authority also cleared the fish culture ponds from the core area of the lake.

Despite having access to rich resources, most families currently living in Loktak Lake area cannot afford to buy fishing equipment. This has forced the women folk to sell their ornaments in exchange to buy a large fishing net, locally known as 'Innjao' and other fishing gadgets.³⁶⁶

As the pulsating lake shrinks down half during winter due to various factors, the degradation of the lake is alarming. During the rainy season, the lake is about 500 square kilometres. Loktak Lake might soon lose its shine if proper measures are not taken to safeguard the lake. During mid-May through late November, the lake has surplus water, while the level depletes throughout the rest of the year.

The fishing community in Loktak Lake are gradually losing control of their fishing line, as it became thinner during the lockdown situation in the two waves of the pandemic outburst.

Despite hardships being experienced by every section of society due to the pandemic and lockdown enforced to contain the spread of the disease, the fishing community at Loktak Lake, whose only means of livelihood is fishing and selling fish, have been hit particularly hard.

The Loktak Lake fishers have observed that even though prices of other goods have risen, they have to lower the prices they charged since most markets remain closed during the lockdown, and fish they caught are not available on the market. Even if they managed to sell the fish, they could hardly make any profit as the transportation charges are high and they have to buy daily essential items in the market which are priced much higher than the usual rate.

Bharuch's Bhadbhut project upsets fishing community

Gujarat government awarded a barrage project to a joint venture between Dilip Buildcon Ltd and Hindustan Construction Company Ltd in 2017. It was proposed to build a 1.7-km causeway-cum-weir barrage, with 90 gates, along the Narmada River, 5 kilometres east of Bhadbhut village, and 25 kilometres from where it flows into the Gulf of Khambhat. Specifically, the barrage was proposed to prevent most of the excess water flowing out of the Sardar Sarovar Dam from reaching the sea,

³⁶⁵ <https://www.eastmojo.com/news/2019/12/31/manipurs-loktak-lake-fate-of-the-floating-wonder/>

³⁶⁶ <https://www.eastmojo.com/news/2019/12/31/manipurs-loktak-lake-fate-of-the-floating-wonder/>

creating a "sweet water lake" of 600 mcm (million cubic metres) on the river. Furthermore, a six-lane road was proposed as part of the barrage, allowing a shorter drive between Bharuch and Surat.

The Bhadbhut barrage project in Gujarat's Bharuch district resulted in outrage among thousands of fisher folk community living in areas downstream of Narmada, as they feared their sole source of income was in danger. However, the barrage would disrupt the migration and breeding cycles of Hilsa fish, which is a luxury for Bengali fish eaters. A marine fish, hilsa migrate upstream and arrives in the brackish water of the Narmada estuary near Bharuch for spawning usually during the monsoon months of July and August, and continue doing so till November. Once the barrage is built, it is expected to block their natural entry.³⁶⁷

In Bhadbhut village, between July and September every year, the hilsa catch has dropped from 50-100 fish a day to 10-15 fish a day. An annual fish production study conducted by the Central Inland Fisheries Research Institute (CIFRI) in Kolkata found that fish production in the Narmada estuary declined from 15,889 tonnes in 2006-07 to just 1,618 tons in 2014-15. The hilsa catch during the same period has fallen to 419 tonnes from 5,180 tonnes³⁶⁸. Water outflow from the dam has decreased, industrial effluents have entered the river and salinity has encroached.

Tuticorin Struggle against Sterlite

On May 22, 2018, tens of thousands of protesters took to the streets of Thoothukudi (Tuticorin) against a proposed expansion of Sterlite's 400,000-tonne annual capacity smelter, but the police opened³⁶⁹ fire, killing at least 13 protesters. It was the deadliest environmental protest of the year in the country. The police justified their action saying the protesters pelted stones and burned their vehicles.

Sterlite Copper, the Indian subsidiary of Vedanta Resources, a global mining and metals conglomerate, was forced to shut its plant in 2018³⁷⁰. Within a week of the police firing, Tamil Nadu state Government shut down India's largest copper plant – which met a third of the country's demands – following a public outcry.

The United Nations condemned the “excessive and disproportionate” use of force by police against protesters and sought an inquiry.

Sterite copper plant was accused of widespread environmental degradation, destruction of farmland, flouting laws, and inflicting adverse health effects on thousands. The factory, which has been closed at least five times since it began prod-

³⁶⁷ <https://www.legacyias.com/bhadbhut-project-explained/>

³⁶⁸ <https://indianexpress.com/article/explained/barrage-across-narmada-promise-of-sweet-water-worries-about-hilsa-6558972/>

³⁶⁹ <https://www.aljazeera.com/features/2021/1/7/india-how-a-retired-professor-took-on-a-mining-giant-and-won>

³⁷⁰ <https://www.kractivist.org/how-a-retired-indian-professor-took-on-mining-giant-vedanta-and-won/>

-uction in 1997 for flouting environmental provisions, denies the allegations. It has also rejected the accusations linking the plant to cancer cases.³⁷¹

Thoothukudi, with its large port, has attracted several big industries, including Vedanta. Rows of plants dotting the coastline facing the Bay of Bengal, spewing out toxic gases like sulphur dioxide and discharging industrial effluents.

Rows of plants dot the city's coast facing the Bay of Bengal spewing toxic gases, such as sulphur dioxide, and discharging industrial effluents³⁷². Experts and environmentalists say sulphur dioxide emitted from smelters and power plants harm the human respiratory system and kill vegetation in their vicinity.

The study conducted by Tirunelveli Medical College found that about 14 percent of those surveyed around Sterlite's factory had “respiratory diseases”, which according to the study was significantly higher than the state average and in the two “controlled” areas. It singled out “asthmatic bronchitis” as being more than twice the state's average “attributable to air pollution due to the presence of gases or a mixture of gases and particulate matter”.³⁷³

Vedanta's plant was initially opposed by Thoothukudi's large fishing and farming communities who constitute two-thirds of the city's population³⁷⁴. The fishing community opposed a proposed 8km-long wastewater pipeline from the plant to the sea. They feared effluents from the plant would further decrease the fish population and threaten their livelihoods. While farmers opposed the diversion of 10 percent of the city's water supply from the Thamiraparani River to the copper smelter.³⁷⁵

A forgotten chapter in more than 20 years' struggle against Sterlite plant is how the fishing community successfully blocked the proposed wastewater pipeline back in March 1996, when fishers blocked the first consignment of copper ore from Australia from entering the harbour.

The boat owners and fishers put up a blockade for the ship bringing the ore. Fishers stocked up on food and rations for a few days in their movement against Sterlite.

The campaign gained momentum following the fishing community success in 1996 quickly faded until the gas leaks in 1997 as the issue failed to galvanise the larger population of Tuticorin.

NFP neglects fishing communities, environment Fishermen bodies, marine experts and other experts working with the fisheries sector feel that the National Fisheries Policy (NFP) is export-oriented, production-driven and based on capital

³⁷¹ <https://www.aljazeera.com/features/2021/1/7/india-how-a-retired-professor-took-on-a-mining-giant-and-won>

³⁷² <https://www.aljazeera.com/features/2021/1/7/india-how-a-retired-professor-took-on-a-mining-giant-and-won>

³⁷³ <https://www.aljazeera.com/features/2021/1/7/india-how-a-retired-professor-took-on-a-mining-giant-and-won>

³⁷⁴ <https://www.aljazeera.com/features/2021/1/7/india-how-a-retired-professor-took-on-a-mining-giant-and-won>

³⁷⁵ <https://www.aljazeera.com/features/2021/1/7/india-how-a-retired-professor-took-on-a-mining-giant-and-won>

investments³⁷⁶. NFF said in a PR that they feel that it is neither protecting the interest of the fishing communities nor the environment.

National Fisheries Policy (NFP) introduced by Central Government in 2020 would increase private control over open access water bodies. Members of fisher rights unions have criticised the draft NFP 2020 for being export-oriented, production-driven, and based on capital investments, which they fear would strip small scale fishers off their rights of access to commons, and also damage the environment in the long run. In addition, they say that the policy does not talk about women³⁷⁷. It is silent on caste and class. Fishing communities in India are not homogenous. They have distinct social governance structures and traditional practices, depending on where they live on the coast. They are also organised into sectors, such as the mechanised and non-mechanised.

³⁷⁶ <https://focusweb.org/impacts-of-covid-19-on-small-scale-and-traditional-fishers-and-fishworkers-in-india/>

³⁷⁷ <https://science.thewire.in/environment/draft-national-fisheries-policy-seeks-big-growth-but-ignores-fishers/>

8

Farmers set for a long haul...

Delhi has been under siege by a hundred thousand farmers since 26th November 2020 at its Singhu and Tikri border, the two border crossing points between Delhi and Haryana and at Ghazipur border, which connects Delhi with Uttar Pradesh. In 9 months struggle 900 farmers became martyrs. Farmers had no choice but to use this tactic after months of protests failed to elicit a response from the BJP-led Central Government.

Farmers' Protest is taking place against the backdrop of a prolonged crisis in Indian agriculture, where farmers' incomes have fallen in real terms by about 1.36 percent annually between 2011-12 and 2015-16. The Modi Government's actions have exacerbated the crisis, including demonetization, the flawed Goods and Services Tax (GST) that benefits export-oriented MNCs and companies, reduction in corporate tax rates and personal tax changes and banning slaughter of cattle in many states.

Protests by farmers are an expression of their anger at Modi and BJP policies favouring the capitalist class and pushing the farmers and workers to the brink of disaster. Since the 1990's neo-liberal policies have sowed the seeds of despair for farmers and the working class. Modi and the BJP have accentuated the crisis and changed how economic indicators such as real GDP and unemployment are calculated, they cannot hide the reality of the working class - falling incomes, declining jobs, little to no social support, increasing labour rights violations, worsening environmental conditions, regressive agricultural policies and a general fear of life for India's most marginalized sections and oppressed citizens. Amidst the aggressive pro-capitalist reforms of Modi and the BJP, farmers and workers are taking risks and putting up a brave front against capitalist exploitation.

Farmers are protesting against three agriculture laws since 26th November 2020 at the Delhi borders, are Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, Farmers (Empowerment and Protection) Agreement on Price

and Farm Services Act, Essential Commodities (Amendment) Act. Corporatizing the agricultural sector is the goal of these laws. As a result, Agricultural Produce Market Committees (APMCs) would be eliminated, allowing market forces to determine the prices of produce. The law also curtails farmers' ability to challenge contract disputes in court and this aims to “drive up investment in cold storages”. It encourages stockpiling and provides unfair advantages to big capitalists.³⁷⁸

The basic purpose of APMCs is to ensure that all of the farmers produce must be brought in the designated market yard and then sold through auction.³⁷⁹ This is a continuation of "agriculture produce market regulation programmes" since India's independence. Farmers were guaranteed a minimum price for their harvest by these laws. MSP is the minimum price paid and set by the government when it procures or regulates. Through APMC mandi models – a larger section of the Indian population is also benefiting. Food Corporation of India (FCI) is State-run largest procurer and distributor of food grains. It procures 15 to 20 per cent³⁸⁰ of nation's wheat output and 12 to 15 per cent of its rice output annually. That provides food through various Government- run welfare schemes at subsidized rate which helps poorer sections of society. The difference between MSP and subsidized rates is paid by the Government. It is no coincident that largest procure area of FCI is Punjab. These laws aim to eradicate all State interference in agriculture and allow market forces to determine prices of crops³⁸¹. This will liberalize agriculture by limiting the role of mandi by offering tax-free rate outside the mandis. It will be beneficial for large retailers and capitalists like those of Ambanis while small and marginal farmers would be among the worst victims. Most importantly, contract farming undertaken by big corporate buyers would skew bargaining power against farmers³⁸². Bihar is a perfect case study where these kinds of laws were enforced 15 years ago. These laws dismantled government procurement infrastructure and the “open” markets' promised better remuneration could never be metalized for the ordinary farmers³⁸³. In 2020 farmers in Punjab sold rice for MSP at around Rs 1850 for 100 kilograms while Bihar farmers were forced to sell the same quantity at merely Rs 1185 in the open market.

However, farmers, who are still dealing with the long-term impacts of capitalist class intervention during the Green Revolution of the 1960s, fear that these 3 agri laws will leave them vulnerable to the interest of the capitalist class and could lead to the collapse of the subsidy system.

³⁷⁸ <https://socialistresurgence.org/2021/02/03/india-farmers-rise-against-the-modi-regime/>

³⁷⁹ <https://lis-isl.org/en/2021/02/01/india-el-levantamiento-agricola-contra-el-regimen-de-modi/>

³⁸⁰ www.marxistreview.asia/india-the-farmers-rise-against-modi-regime/

³⁸¹ <http://www.marxistreview.asia/india-the-farmers-rise-against-modi-regime/>

³⁸² <http://www.marxistreview.asia/india-the-farmers-rise-against-modi-regime/>

³⁸³ <http://www.marxistreview.asia/india-the-farmers-rise-against-modi-regime/>

In India, over 40% of the population relies on agriculture for their livelihood and they are protected from a fluctuating global market by government subsidies and corporate abuse.

With these 3 agri laws, corporates would be able to control every aspect of the food system, determining what farmers grow and how they grow it, and setting price points for maximum corporate profits. The 3 agri laws will further erode regional food sovereignty, leaving a vulnerable population of farmers and agricultural workers at the mercy of big capitalists.

In the nine months of 'Farmers Protest', Central Government had launched its vilifying campaign through its subservient mainstream media to defame the movement, unleashed violence through police and the private army of Hindutva storm-troopers. But as the days are passing, farmers movement is gaining strength and spreading in other states of the country. Delhi Police has been trying to muzzle the voice of the farmers by shutting down internet and putting up jammers to stop the internet in the protest sites.

3 Agri laws-Death knell for Small and Marginal Farmers

Marginal farmers alone constitute 67% of the total farmers in India. There is a consistent decline in average land holdings as it has dropped down from 1.15 hectare in 2011-2012 to 1.08 hectare in the year 2015-2016. Agricultural policy changes will increase polarization among farmers and 56 crore marginal farmers will be further pushed to the condition of impoverisation turning them into rural wage labourers. In India's capitalist mode of production, it is inevitable and bound to happen. Central Government, which is subservient to the interest of the capitalist class further accentuating the crisis and pushing small and marginal farmers to further pauperisation. As rich farmers, the rural elites would also be forced to give up their security of guaranteed returns from farming as they too would be forced to compete with MNCs. Few of the rich farmers having a close liaison with the power-that-be, would survive as is happening in industrial sector. In the days to come, MNC agro companies like Reliance Fresh, Adani Greens, Tata Sampanna, ITC, Monsanto India, Kaveri Seeds, and others will have free rein in the rural countryside. A major political advantage of these three agri bills is that they will clearly distinguish between rural capitalists and rural toiling masses just as they are identifiable in the industrial and rural sectors. The ambiguity clouding over class division in the rural countryside comes to the fore and it now it would clearly show who are the exploiters and exploited class.

The ongoing farmers protest for raising the Minimum Support Price (MSP) in which small and marginal farmers are participating, they are the most brutally exploited section of our society. As they compulsorily rear livestock too, their condition is more pitiable, worse than that of agricultural workers as they have no fixed working hours and have no choice as they have to toil in the field even when they are sick. Together, their kids and families own land that cannot be productive and economically viable, nor can it have enough surplus value to sustain them. Small farmers' landholdings are shrinking, while their misery, hopelessness, and depression are increasing. Marginal farmers are the only ones who commit suicide as their lives are worse than hell. Small and marginal farmers are on the firing line of the farmers' protest going on for 9 months, although big farmers are spearheading it.

Gail Omvedt, an American-born Indian Scholar and Activist, who died recently on 25th August 2021 at Sangli, Maharashtra has conducted a study on MSP-driven farmers movements in India and her report 'Capitalist Agriculture and Rural Classes in India' published in "Bulletin of Concerned Asian Scholars" in the 5th July 2019 issue. I quote a paragraph from the report, it says "Capitalist farmers are the main force behind the 'farmers' agitations that are dominating rural political scene. It is no accident that these agitations are centring in the more capitalistically developed regions, that their demand for higher crop prices itself indicates the commercialization of the rural economy, and that in contrast to pre-independence peasant movements they are not directed against any rural exploiter but rather seek to unite 'all peasants' with an ideology that claims the 'city' is exploiting the countryside."

However, the agri laws will hasten the annihilation of small and marginal farmers. Although small and marginal farmers are opposing the agri laws tooth and nail, this is a hard and bitter reality that cannot be wished away.

3 Agri laws-Death knell for Small and Marginal Farmers

The most astounding fact of the present farmers protest at the Delhi borders is those at the forefront are that of the farmers of the states who are the pioneers of the Green Revolution. The Green Revolution in India has had its greatest impact on Punjab, Haryana and Western Uttar Pradesh. It is mostly in these states where farmers are showing extreme discontentment today. Farmers from these states were also among those who made India self-sufficient in the food production and raised its food security level. In spite of this, India's farmers have suffered under the Green Revolution. Punjab is on top of the Green Revolution and its resultant cancer.

However, Green Revolution in India began in 1967 when the then prime minister Indira Gandhi imported 18,000 tons of hybrid Mexican wheat seeds to Punjab. Starvation afflicted much of the country at the time and the introduction of high-yield seeds and chemical fertilizers resulted in a massive increase in the production of wheat, rice and pulse. India produced 50.8 million tons of food grain in 1950 and by 1990 that output jumped to 176.3 million tons, creating a surplus. Punjab was one of the fastest-growing economies in the country during the 1970s and 1980s, with a growth rate of almost 8 percent between 1985 and 1986, nearly double the national average. During the 1980s and 1990s, Punjab produced two thirds of the nation's wheat and rice, thereby curbing India's hunger problem. Consequently, Punjab's farmers became the richest in the country, making India an economic powerhouse.

During the two waves of COVID-19 pandemic and subsequent lockdown, the Abohar-Jodhpur Express, known as the 'Cancer Train', was halted for months and cancer patients haplessly suffered because they couldn't go to Bikaner for medical treatment. Now the Central Government is planning for its final stop. Cancer Train's main characteristic is that 60 percent of its passengers are cancer patients who had been visiting Acharya Tulsi Regional Cancer Hospital and Research Centre in Bikaner for treatment. Prior to COVID-19 pandemic, on an average 100 cancer-affected and 200 co-passengers went to Bikaner every day by the 'Cancer Train'. Punjab farmers make up the majority of these all age-group passengers. . Most of the farmers boarding the 'Cancer Train' are small farmers of Punjab's cotton belts – Mansa, Faridkot, Bathinda, Sangrur, Muktsar, Ferozepur, Moga and Fazilka. In Punjab, the advanced Cancer Institute and Homi Bhabha Cancer Hospital have also been opened to provide treatment to growing cancer patients, but Bikaner remains the first option for them.

Though Punjab is only a small part of India geographically, its share of pesticide and herbicide chemical consumption is as high as 20%. The indiscriminate use of agri-chemicals on seeds, crops, vegetables, and fruits and the generation of incurable diseases is not a hobby of Punjabi farmers; it is an essential pre-condition for the Green Revolution³⁸⁴. Now it is well known not only by inland companies that manufacture agrochemicals, scientists, doctors or government planners, but also by common people that agri-chemicals are extremely hazardous to health.

In the last 50 years, the soil has been poisoned with a variety of pesticides – insecticides, fungicides, weedicides, herbicides etc. - that the land of the Green Revolution has become an island of poison. On poisoned soil there are traces of poison in cereals, pulses, fruits, vegetables, oilseeds, and spices. Chemical poisons are dissolved in the winds and the waters. Then how can animals and people live in

³⁸⁴ <https://www.dailypioneer.com/2021/state-editions/green-revolution-and-a-harvest-of-cancer.html>

toxic utopias and be healthy and happy. The soil lacks organic matter, micronutrients, and is dependent on chemical fertilisers and lethal chemicals.

The Kheti Virasat Mission, a non-profit and conscious civil society organization based at Jaitu in Faridkot district of Punjab, has been working with farmers to address the destruction caused by green revolution's chemical and hybrid farming. Sustainable, ecological farming practices as well as the conservation and regeneration of natural resources have been promoted to re-establish traditional wisdom and practices related to water. Evidence suggests that soils and water are increasingly polluted with toxic and highly poisonous substances, posing an environmental threat.

The Kheti Virasat Mission (KVM) believes farmers' movements should address environmental and health issues and farmers unions should support natural farming.

Food Sovereignty

In India where the Central Government is unabashedly subservient to the interest of the capitalist class, an endeavour should be launched to exercise food sovereignty so that communities are able to control the production, distribution, and consumption of their own food. Workers unions and federations, farmers unions, consumer forums and activists can come together and fight for food sovereignty. Food sovereignty is viewed as a radical alternative to conventional food and agricultural development. Since the 1990s, the concept of food sovereignty has evolved from being on the margins of communities to becoming a focus of discussion in international forum. In India the food sovereignty movement has also taken a shape.

Though food sovereignty is still relevant today, food sovereignty is evident in many aspects of daily cultural, social, physical, and economic life in contrast to the British colonial rule that has long ravaged community life in India. Food sovereignty is an issue that has always been relevant. However, there is minimal food sovereignty in India despite people having deep attachment to food.

Neither the producer nor the consumer is aware of the safety aspects of the food and the dire consequences of its ignorance³⁸⁵.

The right to grow nutritious and diverse food, as well as having access to safe, affordable, and healthful food at our convenience, constitutes food sovereignty or *Anna Swaraj*. Food Sovereignty tends to promote the consumers and producers rather than Multinational Corporations (MNCs) making profits. Family, community, regional, and national food security all grow out of food sovereignty.

³⁸⁵ https://advocatespedia.com/India%27s_Food_Sovereignty

Although the class-in-power has been wreaking havoc in the lives of Farmers, Adivasis, Dalits and pastoralists through its repressive policies but there has been seeds of resistance and assertion by them, as like 9-months historic Farmers Protest in the Delhi's border connecting Haryana and UP . The Food Sovereignty Alliance of India was founded in 2013 to create unanimity around a common vision of food sovereignty, while also protecting the rights of Mother Earth and future generations. In their plan, they proposed democratic governance of resources, including water, land, forests, and territories. Nurturing the soil and producing culturally appropriate, healthy, and organic crops, as well as freedom for consumers to make food choices. Labour, knowledge, and produce are proposed to be shared in a reciprocal system. Creating local food markets in which producers and consumers can connect, as well as planting more diverse crops, were proposed in Food Sovereignty Alliance of India.

Despite Food Sovereignty Alliance of India's existence since 2013 but even the status of food sovereignty is still not good even after lot of efforts put forth. Land is scarce or non-existent for farmers to grow their crops. There is no surplus for them to sell in the market, so they have meagre incomes. Now the 3 agri laws implemented by the Central Government is further to push the farmers to the brink of disaster. Furthermore, farmers don't enjoy food security. In addition, even the customers are not guaranteed food sovereignty because the farmers are always tempted to produce cash crops instead of food crops.

Lessons to be learnt from Socialist nations

What India failed to do for its farmers, pastoralists, fishers and fish workers, Adivasis and Dalits as the class which came to power in 1947 after India's Independence have been exploiters and oppressor.

China

China, which has a larger population than could partially bring a revolutionary change in the lives of farmers and the rural countryside. William Howard Hinton, an American farmer and writer, who is best known for his book *Fanshen*, published in 1966, a "documentary of revolution" which chronicled the land reform programmes undertaken in China.

William Hinton was sent by the United Nations Relief and Rehabilitation Administration to teach farmers in the Chinese province of Hebei in 1947³⁸⁶. He was outraged at the corruption of the nationalist Kuomintang government of Chiang

³⁸⁶ <https://www.theguardian.com/news/2004/may/24/guardianobituaries.china>

Kai-shek and crossed into a zone liberated by the communists in the civil war. Soon, he was teaching English in southern Shanxi province. As soon as his students joined the movement for land reform, he demanded to be included. In the year to follow, he gathered a thousand pages of notes, packed with earthy details, on the struggles against landlords and between different strata of peasants in Long Bow village. His memories of the lice, fleas, and poor food coupled with a young girl dying of tuberculosis would later come back to him - along with the horribly bad gruel eaten from an unwashed bowl. In 1948, he joined the retreat with the notes in his backpack when the Kuomintang attacked. A year later, he was able to witness Mao Zedong's triumph. Hinton had the good fortune to have studied the communist-led revolution at a time when the Chinese peasantry was finding its voice, before the official line had become distant from reality.

In Hinton's book, a particularly stirring moment occurs when the landlords, deprived of any armed force to impose their will, threaten the peasants with the wrath of their ancestors. Fearful and hesitation filled, a peasant finally strikes the headstone with a hammer and shatters it to pieces, cutting off the ancestor's head. At that moment, there is no thunderbolt from the skies, and the old exploiters' hold is greatly weakened, but not broken. The peasants remained afraid that Chiang Kai-shek's Nationalists and their army would win and the old landlords would return; and the influence of the Catholics and their support of the old ways remained. Peasants encouraged by Communist Party of China (CPC) cadre pushed on. Here Mao De Zong's words found expression in the deeds of the peasants:

“What should we not fear? We should not fear heaven. We should not fear ghosts. We should not fear the dead. We should not fear the bureaucrats. We should not fear the militarists. We should not fear the capitalists.”

The People's Liberation Army was not present during land reform in Long Bow, just a few cadres from the CPC. Peasants often threatened to kill landlords, and the cadre often had to restrain them from killing them at once, often in merciless ways, and these efforts were not always successful. Thousands of years the rulers of old China continued. The millennium of beatings, rapes, thefts, killing of loved ones, and worst human degradation imaginable poured out against the old Chinese rulers. But Mao De Zong put it that revolution is not matter of tea.

In Hinton's book New China was impressive in many respects, but it arose on the ashes of old China and the suffering endured for millennia by the Chinese peasantry until³⁸⁷ the end of Chiang Kai-shek's U.S. backed rule. In Hinton's book Mao makes no appearance nor do other giants of the Chinese revolution, but we see the fruits of their work up close³⁸⁸. Mao De Zong liked to say that to understand society one

³⁸⁷ <https://www.counterpunch.org/2009/10/08/remembering-hinton-s-fanshen/>

³⁸⁸ <https://www.counterpunch.org/2009/10/08/remembering-hinton-s-fanshen/>

one should look down, not up and Fanshen does just that.

Hinton called Fanshen as a documentary of revolution in a Chinese village. More important than simply giving land to the landless, that Mao Zedong's aim was to create political awareness among the poor peasants³⁸⁹. He explained that the literal meaning of the term "fanshen" is "'to turn the body over, or 'to turn over'," that is, in revolutionary usage, to change your way of thought and join the revolution. To "China's hundreds of millions of landless and land-poor peasants it meant to stand up, to throw off the landlord yoke, to gain land, stock, implements and houses"³⁹⁰.

After Mao De Zong's death when Deng Xiaoping became the supreme leader, Hinton accused him having shifted "from the socialist road to the capitalist road". If there had been true leader then it would have continued what Mao was doing to change the lives of the peasants, workers and the toiling masses. But Deng did the just opposite by opening it for market reforms and foreign investments and it's no more a socialist nation.

Cuba

In Cuba, post to 1959 Socialist Revolution it has been able to complete and accelerate its modernization process. During the 1980s, it ranked number one in the region in the contribution of industry to its economy and had a more mechanized agricultural sector than any other country in Latin America. Cuba nevertheless showed the same contradictions, with its development model being of the dependent type, as other countries of the Third World did as a result of modernization. Agriculture was defined by extensive monocrop production of export crops and a heavy dependence on imported agrichemicals, hybrid seeds, machinery, and petroleum. While industrialization was substantial by regional standards, Cuban industry depended on many imported inputs³⁹¹.

Cuban revolutionary government had inherited an agricultural production system strongly focused on export crops grown on highly concentrated land³⁹². During the first agrarian reform in 1959, most of the large cattle ranches and sugarcane plantations were converted into state farms. State control of agricultural land increased to 63 percent with the second agrarian reform in 1962. Prior to 1959 revolution peasant producers formed a small part of the agricultural community and the export plantations dominated the rural economy, and the population as a whole was highly urbanized. The pattern intensified in the following years, and by the late 1980s, 69 percent of Cuba lived in the cities. In 1994, some 80 percent of the country's agricultural land consisted of large state farms, which roughly correspond

³⁸⁹ <https://en.wikipedia.org/wiki/Fanshen>

³⁹⁰ http://www.china.org.cn/arts/2011-06/30/content_22890344_6.htm

³⁹¹ https://www.iatp.org/sites/default/files/Cuba_A_Successful_Case_Study_of_Sustainable_Ag.htm

³⁹² https://books.google.co.in/books?id=UhV7wmmXROAC&redir_esc=y

to the expropriated plantation holdings from the pre-revolutionary era. Small farmers held just 20 percent of farmland, almost equally divided between individuals and cooperatives, yet they produced more than 40 percent of the country's food. In the state farm sector, as well as in a substantial portion of cooperatives, mono-crops were cultivated under heavy mechanization, fertilizer and pesticide use, and large-scale irrigation

Post to 1989-90 when Soviet Bloc collapsed, small farmers and gardeners became the vanguard of Cuba's recovery from food crisis, however, there were no efficiency of large-scale corporates or state farms were required. In fact, small farms are more efficient than large production units if machines are not

subsidized and chemicals are not imported. International food aid is often cited as the solution to food shortages, yet Cuba has found an alternative in local production.

Cuba uses intercropping, locally produced bio pesticides, compost, and other alternatives to synthetic pesticides and fertilizers. Increasing crop prices prompted Cuban farmers to increase production. When prices are artificially kept low, as they often are, farmers everywhere lack incentive to produce. Nevertheless, they produce when given the opportunity, so long as the conditions are favourable. Small farmers and gardeners are Cuba's most productive producers under low-input conditions. Indeed, smaller farms worldwide produce much more per unit area than do large farms. In Cuba redistribution was relatively easy to accomplish because the major part of the land reform had already occurred, in the sense that there were no landlords to resist further change.

Food prices shouldn't be dictated by world economic fluctuations, long distance transportation, or superpower "goodwill". Food produced locally and regionally offers a greater sense of security, as well as synergistic links that support economic development. Moreover, such production is more environmentally friendly, since international transport is a wasteful and unsustainable form of energy. Cities and their surrounding areas can become virtually self-sufficient in perishable foods, be beautified, and have greater employment opportunities if urban farming is promoted.

The Cuban experience illustrates that small or marginal farmers can feed the entire nation's population based on appropriate ecological technology, and in doing that the nation can become more self-reliant in food production. Farmers must receive higher returns for their produce, and when they do they would be encouraged to produce. Capital intensive chemical inputs—most of which are unnecessary—be largely dispensed with. The important lessons from Cuba that can be applied elsewhere, then, are agro-ecology, fair prices, land reform, and local production,

including urban agriculture.

However, Narendra Modi led Central Government and the ruling class are presiding over a social catastrophe. The 3 agri laws are part of a much broader class-war assault aimed at making the working class and rural masses pay for their ruinous response to the COVID-19 pandemic, and for the systemic world capitalist crisis, which erupted prior to the pandemic and has been enormously exacerbated by it.

It was a manifest failure to stop the spread of the virulent virus that the Modi led Central Government, without warning or planning, imposed a lockdown. Following its failure to provide social support to hundreds of millions of people who had been deprived of income overnight, it launched a reckless back-to-work drive that has led to mass death.

In the name of reviving India's economy from its severest-ever economic contraction, the BJP government is implementing what Modi has termed a quantum jump in “pro-investor” reforms. In addition, it has announced plans to privatize most Public Sector Units, including much of the coal industry, railway network, and banking sector as well as enacted pro-corporate agri laws. Implemented labour laws that further expands precarious contract employment, empowers large employers to dismiss workers and close plants at their will and makes most employee strikes illegal.

The BJP Government led by Modi has responded to the pandemic by doubling down on the two principal components of the Capitalist class strategy since 1991. It's a drive to make India a cheap-labour haven for Global Capitalism and to pursue closer ties with US imperialism, and since 2005 a India-US Global strategic alliance. It has resulted in India becoming one of the world's most unequal societies, with the richest one percent owning four times more wealth than the poorest 70 percent of Indians, of whom hundreds of millions are destitute and malnourished. Washington's incendiary war drive against China has turned India into a frontline state.

The BJP is well aware that the pursuit of its agenda will be met with ever-greater popular opposition. With the help of the police, Supreme Court, and the ruling class in general, they have relentlessly tried to stir communal tensions. Its aim is to split the working class and mobilise its fascistic Hindutva followers as shock troops against its opponents, above all the working class.³⁹³

9

Pushing to further proletarianization...

eo- liberal economic policies launched by the India's Central Government in 1990's launched the twin onslaughts of communalism and 'economic reforms' undoubtedly sharpened and exacerbated the perceptions among the marginalized communities like small farmers, pastoralists, fishers and fish workers, adivasi, dalits and minorities and their livelihoods, lifestyles and identities are under further threat. The present Central Government led by Narendra Modi and BJP further accentuated the crisis and changed how economic indicators such as real GDP and unemployment are calculated, they cannot hide the reality of the working class - falling incomes, declining jobs, little to no social support, increasing labour rights violations, worsening environmental conditions, regressive agricultural policies and a general fear of life for India's most marginalized sections and oppressed citizens.

Neoliberal capitalism in India has exacerbated wealth inequality in several ways. It has widened the income inequality. As the proportion of income that is saved (for adding to wealth) is greater for the upper-income groups, a rise in income inequality increases both the overall saving ratio in the economy as well as the degree of concentration of wealth in the hands of the few rich. As a rule, neo-liberal policies has been slowly abolishing state support for agricultural production and small-scale production and the Central Government is pushing the big capitalists and multinational corporations (MNCs) in it. By doing so, those sectors are undermined, causing small or marginal farmers to migrate to the cities in search of work. Farmers are joining the army of wage labourers in the cities. Similarly, these policies remove all restrictions on the rate of technological-cum-structural change. Thus, labour productivity is raised rapidly, making employment growth insufficient to absorb even natural increases in the workforce, let alone the distressed farmer migrants.

This creates slack in the labour market, which keeps the wage-rate low even as labour productivity increases. Since the ratio of wage-rate to labour productivity is nothing else but the share of wages, this share decreases, and the share of those who live on the surplus (i.e. non-wage income), typically the rich and the professional classes, increases. A rise in income, and hence wealth inequality is thus embedded in the structure of neo-liberal capitalism.³⁹⁴

However, quite apart from its effect on the labour market, the out-migration of small farmers and petty producers is typically associated with a loss of assets by them. When migrants leave for the city, they abandon their houses or their land or are forced to sell them at low prices. Moreover, their assets may be expropriated simply to assist with infrastructure projects (roads, dams, factories, etc.) that involve real estate invariably. The result is a greater concentration of wealth in the hands of few.

Adivasis employed in sugar units and factories, pushed back and dumped during COVID

In Chapter 1 'Khandesh adivasis further pushed to impoverisation' there is description about how landless adivasis confronting financial hardship living in the villages of Khandesh region of Maharashtra are hired as cutters in couples by sugar co-operative factories run in Gujarat through an obscure but efficient network of labour brokers or mukadams, who thrive on seasonal distress. These mukadams deployed by managing committees of the sugar co-operative factories scout the interior of the adivasi belt in the Khandesh region, which has been developed as 'labour catchment area'³⁹⁵ for them. A few thousand rupees, advanced in the monsoon, allow the adivasi families to subsist. This amount are paid back through labour in the harvest season. Whole adivasi families, adults and children, then get pulled into the work. Every year when the monsoon begins its retreat from the villages of Khandesh and Marathwada belt up to half-a-million of its rural poor, majority of them being adivasis and dalits, begins a desperate migration for work that ends in India's largest swathe of sugar country. The annual migration is over 45 years old and its routes are well established. The employers more than 200 sugar cooperative factories across the three-state swathe and employees' landless adivasis and dalits or subsistence farmers are also constant but sugarcane profits keep spiralling. The profits grow even as the migrant adivasi or workers remain impoverished.

These adivasi workers, who migrate from Khandesh region working at over 100 different sugarcane cooperatives situated in Gujarat and Madhya Pradesh were pushed back to Maharashtra during the national lockdown due to pandemic outburst

³⁹⁴ <https://www.aljazeera.com/opinions/2018/1/26/why-is-indias-wealth-inequality-growing-so-rapidly/>

³⁹⁵ <https://ruralindiaonline.org/en/articles/the-sugarcane-cutters-bitter-harvest/>

as the as owners of those cooperative factories refused to take responsibility. Most of these sugarcane co-operative factories were owned by the local politicians. Most of the adivasi workers returned back to their villages without collecting their wages. They were not provided food or even an allowance to travel back home.

Pandemic intensifies Inequalities

In Chapter 2 'Maharashtra's marginalized communities still at the crossroads' states that the greatest man made humanitarian crisis since independence the COVID-19 pandemic played out across India, prevailing inequalities got intensified due to government policies and approaches during the arbitrarily declared, unplanned lockdown. The curtain of invisibility that hitherto concealed the existence of 10 crores of workers, termed migrant workers, has been torn asunder through myriad images of horrendous suffering. This huge section of India's labour force or rather India's life force, majority of these workers are adivasis, who have been stripped of their rights as equal citizens of India. They are, along with all sections of the working class and working people whose basic rights are under attack, are hostage in the war that the PM Modi-led Central Government is waging to get out of the huge crisis that the capitalist economy faces. The package is a reflection of this class war. Millions of men and women workers denied public transport forced to walk hundreds of kilometres is equally a reflection of this war. One aspect is their common suffering and exploitation with all other migrant workers. The second aspect is the specific deprivations adivasis face as adivasis, as forest dwellers or in villages in hilly areas, which has the specific impact of the lockdown and³⁹⁷ the so-called package on adivasi lives and livelihood.

The migration of adivasi workers had already started when the lockdown was suddenly imposed. In Maharashtra, adivasis are reporting that work has stopped the contractors often snubbed by the principal employer, have run away leaving the adivasis stranded. Adivasi migrants, since they are not part of the so-called mainstream cultures are even more vulnerable to the general hostility towards the poor displayed by State agencies particularly the police³⁹⁸. During the lockdown, unable to get assistance and despairing of any free travel home, adivasi migrants from Maharashtra like other migrants started the long and painful march home often avoiding highways, travelling through forests and side roads to avoid the police. The Inter-State Migrant Workers Act, 1979, the only law for migrant workers, is on the way to being scrapped by the Central Government led by Narendra Modi as part of its agenda of labour reform. It is to be merged with the labour code, which is an instrument to destroy the hard won rights of the working class. Although the 1979

³⁹⁶ <https://ipanewspack.com/2020/05/adivasi-communities-are-worst-hit-by-lock-down/>

³⁹⁷ https://peoplesdemocracy.in/2020/0524_pd/impact-lockdown-adivasi-communities

³⁹⁸ <https://www.thehindu.com/opinion/op-ed/playing-out-live-a-narrative-of-discrimination/article31560942.ece>

law is quite inadequate since it deals only with those migrant workers in the contractor system and excludes workers who migrate on their own, for adivasi migrant workers employed through contractors, its implementation would have ensured payment as well as free travel back home. In fact according to the law, the Central Government is legally liable to ensure free travel home since it is responsible for the termination of the work emanating out of the lockdown. Most adivasi habitats have so far been free of the Corona virus. Adivasis are particularly vulnerable to the virus if it is introduced in adivasi areas due to acute vulnerability caused by malnutrition, anaemia.³⁹⁹

Instead of tackling the grave situation emerging out of pandemic in adivasi areas, the Central Government- led by Modi used the lockdown to further its pro-capitalist class agenda including in spheres which directly dilute the constitutional and legal rights of adivasis. It is also in this period that the Supreme Court gave its highly questionable judgment against prevailing reservations in school teachers' posts for only Adivasis in Fifth Schedule areas in Andhra Pradesh and Telangana. Many aspects of the judgment will have a negative impact on special constitutional provisions for adivasis under the Fifth Schedule beyond the issue of reservations.⁴⁰⁰

Adivasi migrant workers of Maharashtra were worst-affected people as they along with Dalits are the backbone of the large pool of migrant workers who faced discrimination back in their villages. Many of them moved to cities to escape the deeply entrenched social inequalities in rural areas but found their hopes of a better life dashed when the virus struck⁴⁰¹ their villages.

State- sponsored plunder and loot pushes adivasis to further proletarianization

In Chapter 4 'Chhattisgarh, a new state formed to continue age old rulers' tradition to grab Adivasis land and continue repression' it has been delineated that in state there has been a massive illegal loot of forest and mineral resources⁴⁰². It ranks second in the nation in terms of total forest land diverted for mining purposes – accounting for 15%. The brunt of this diversion is being faced by the Adivasi communities in the area. The Adivasis have been agitating against displacement on an unprecedented scale - for mining, setting up of industries, dams, sanctuaries, four laning of highways, the posh capital region, and even army and air bases. Whether it be the sponge-iron belt of Raipur, the cement belt between Raipur and Bilaspur, the coal mines of Koriya, bauxite mines of Sarguja, the power plants of Korba and above all

³⁹⁹ <https://uk.movies.yahoo.com/indias-caravan-misery-migrant-workers-135701023.html>

⁴⁰⁰ <https://www.iasbhai.com/the-untold-story-of-adivasis-super-exploitation-upsc/>

⁴⁰¹ <https://kochipost.com/2020/05/23/adivasi-communities-are-worst-hit-by-the-lockdown/>

⁴⁰² <https://coronapolicyimpact.org/2020/05/12/playing-out-live-a-narrative-of-discrimination/>

pristine forests, toxic air pollution, turning up waters red with sludge and drying up of water sources and dumping of ash.

The pace and extent of the land grab increased vastly during the BJP rule, with not an inch of largely Adivasi Jashpur left unaffected by prospecting and mining licenses, 34 power plants in the Janjgir district and 7 cement plants in the Baloda Bazar district where units of multinationals Holcim and Lafarge and of the Birla group – Ultratech, Grasim and Century were already there.

The Land Acquisition Act 2013 was brought ostensibly because of the fierce countrywide resistance of the peasantry and Adivasis against land acquisition, far from addressing any of the serious legal issues, it appears that the Act actually facilitated corporate land grab.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 provides for enhanced rates of compensation to be given to those whose lands have been acquired for developmental projects. However, there has been an ongoing attempt at diluting the same.

Gautam Adani and Hasdeo Arand project in Chhattisgarh

Gautam Adani, the billionaire who trots the globe with the Prime Minister Narendra Modi has been approved of coal extraction in Hasdeo Arand, one of the largest contiguous stretches of dense forest in central India, covering about 170,000 hectares (420,080 acres) of the state of Chhattisgarh⁴⁰³. It is rich in biodiversity, contains many threatened species and is home to elephants, leopards and sloth bears. It is also home to the Gond adivasis as the Hasdeo Arand sits on top of more than a billion metric tons of coal reserves. Adivasis are fighting a rear-guard action against the mining giant Adani to protect their ancestral homelands and of the India's richest and most diverse regions. If the coal mining starts then adivasis will lose everything.

Gond Adivasis, who chop wood collected from the forest outside Ghatbarra village, failed to see the upside. Most of them are of the opinion that Mining would bring us close to death. The Adani project is going to devastate everything nature has given us. One-time compensation for the land is not enough – adivasis need much more than money to survive. They need nature to be with them.

Pauperization of the pastoralists, joining the army of the proletariat

In Chapter 6 'Pastoralists grazing rights squeezed' it indicates that presently pastoral institutions face the increasing threat of mass displacement from economic factors

⁴⁰³ <https://madaraka.online/2020/02/13/2422/>

such as agriculture, population growth, droughts and herd displacements. Pastoralism appears to be losing the battle as a way of life and a production system. Pastoral activities are complex, and it's dependent on the delicate balance between human population, livestock and natural resources. Despite its reputation as one of the most challenging and complex agricultural and natural resource development tasks, pastoralists who were once a powerful economic and political community have been steadily marginalised by non-recognition of its importance and dominance of the sedentary approach to life and livelihoods practised since the time of the British.

However, many experts estimate that the 1.2 billion people in India are pastoralists, yet most people know very little about them. Pastoralists are quite evidently an invisible constituency and that issues and interests are not reflected in development policies or in the general governance of this country. Due to increasing commercial pressures on land, the impact of globalization, and climate change, pastoralists' situation is the same worldwide and deteriorating rapidly. In India, pastoralists have no choice but drastically reduce herd sizes, and many are eventually pushed out of pastoralism. Pastoralists who have lived in harmony with nature and livestock for centuries always complain that they can no longer decide how many livestock they can keep.

The corporate interest in land has become perhaps pastoralists' greatest threat. Land grabbing is a global phenomenon and little can be done to stop the loot and plunder. The rush for land to meet capitalist interests is targeting all kinds of land, but it is much easier to grab common land⁴⁰⁴. Often, these common lands do not require any financial compensation to be paid. Particularly when there is a weak governance framework or none at all. There are innumerable cases where pastoral lands are taken without the free, prior, and informed consent of the people who had been living on those lands for generations. Pastoralist ways of life are characterized by their ability to convert marginal resources in dry and arid regions into productive resources such as milk, meat, wool, and manure using few, if any, inputs. Livestock keeping is becoming increasingly unprofitable for them. Pastoralists are left with few options as a result. Pastoralism has been their entire lives for most of them. Even though they are experts around animal husbandry, they also have extensive knowledge

For most of them, their entire lives have been dedicated to pastoralism. They often have little formal education despite having a great deal of knowledge about animal husbandry. Thus, they have few skills that are relevant to other forms of modern employment. When these pastoralists stop keeping livestock, they join the army of wage labourers.

⁴⁰⁴ <https://thesolutionsjournal.com/2016/08/19/indias-pastoralist-communities-solutions-survival/>

Further pauperisation of Fishers and Fish workers as coronavirus adds to their woes

India's fish markets collapsed during two national lockdowns, impoverishing hundreds of thousands of small fishers. Recovery is not in sight. COVID-19 and climate change are a myriad of other issues. Lockdowns after first and second waves to contain COVID-19 have impacted the livelihoods of small fishers and fish workers. Fishing activities were forced to cease in many areas due to two lockdowns. There has been a severe disruptions to the supply chain during two lockdowns. Despite fishing, fishers were not able to sell the fish in the market. Climate change and pollution have seriously hurt inland and marine fishers alike, with the lockdowns adding to their hardship. The Central Marine Fisheries Research Institute (CMFRI) estimates that marine fishers alone produced 3.69 million metric tons in 2018. The catch was already down over 6% from the 2012 catch of 3,94 million metric tons. Inland fisheries do not have reliable estimates of their production.

During the first lockdown abruptly announced by PM Narendra Modi on March 24, 2020, caught many fishers by surprise because they were at sea at the time. The second lockdown deepened the crisis of fishers and fish workers. Marine Products Export Development Authority (MPEDA) official mentioned that since the police cordoned off the harbour, MPEDA couldn't get information on how many boats came or what was caught. Several exporters and processors are refused to accept catches as their storage facilities were full during two lockdowns.

Women fish vendors have been severely affected. Women are unable to sell their fish because they cannot ride a cycle like a male vendor, and there is no public transportation.

COVID-19 impacts fishers on top of more frequent cyclones, sea water acidification, coral reef irreparable damage, coastal erosion, rise of salt water and warmer seawater impacting fish habitats, all climate change impacts.

Rivers and lakes have been encroached upon in West Bengal. Pollution has resulted in little or no fish in these waters. Thousands of fishers and fish workers are facing extinction due to climate change impacts, pollution and COVID-19. Many are looking for alternative livelihoods.

Labour codes for pushing working class to darker days

From April 1, 2021, the Central Government led by Narendra Modi implemented labour codes which would further accentuate the crisis and pushing the working class to darker days. The employment rules notified for the code on occupational safety,

health, and working conditions say the daily working hours can be stretched up to twelve hours. New machines, developing production processes, developing new skills, and corporates feeding new levels in the evolution of finance capital are bringing back the dark days for the Indian working class.

The shedding of rights, the criminalization of those who challenge attacks on democratic traditions and therefore the diminution of everything sacred are the beginning of this backsliding. On April 1, 2021 the dark days of 134 years ago was brought back, nullifying the gains the working class have made after struggling for decades. Their working hours were stretched up to more than twelve hours, jobs were rare and irregular, taxes were high, and their earnings were paltry.

Workers assembled at the Haymarket Square in Chicago on May 1, 1886 and took out a rally for eight-hour work day, where police fired and 11 workers became martyrs. Martyrs lives did not go in vain, and eventually the eight-hour work day became universal. Over the years, workers have been observing May 1st as International Workers Day all over the world. In 1890, the Second International established a regular day to commemorate the workers' victory.

On April 1, 2021 the work days were stretched to twelve hours. Parliament has been used to enforce the labour codes on workers. Labour codes supersedes 13 existing rules of central labour law. BJP-rules states of Uttar Pradesh, Madhya Pradesh and Gujarat has already implemented and extended working hours to twelve in an effort to recoup the losses incurred during two pandemic-induced lockdowns. State Governments argued that the measure was needed to boost output amid a shortage of labour. Pandemic had given ploy to squeeze further rights of the working class. In reality, the work force is restricted because it has been kept down in order to preserve wages and also to maintain a surplus of workers waiting to be hired on an unconditional basis.

The four labour codes are in opposition to the existing labour laws, which had protected the rights of workers all along, and soon it would be replaced.

However, the Modi Government has declared a virtual war on the working class of the country. The state governments of UP, MP and Gujarat, all led by BJPs, have already destroyed or rendered totally ineffective state labour laws, with the blessings of Central Government. Uttarakhand, Haryana, Assam, Goa, Himachal Pradesh, Odisha, Rajasthan, and Punjab have increased working hours to 12 hours a day, some with overtime wages and some without, and for three months⁴⁰⁵ or three years as in other states. The Central Government has cunningly chose the critical period of pandemic outburst to push through all its anti-people measures under the garb of COVID-19. Normally, such measures would have been met with a massive

⁴⁰⁵ <https://www.cpiml.net/liberation/2020/05/modi-regimes-war-on-working-class>

backlash from workers, but now that the lockdown and the Epidemics and Disaster Management act are in effect, workers are handicapped to respond to the government's systematic attack on labour laws. India's self-sufficiency cannot be achieved by just relying on foreign capital or by removing labour laws to attract foreign investment. . . Self-reliance for Modi is only a rhetoric, rather than a belief in the ability of the country to provide for itself. It is nothing but a mockery to talk about self-reliance while forcing workers and the toiling masses into slavery and bondage, and making India subservient to global capital and imperialist powers.

Farmers Protest challenges BJP's Hindutva agenda and are set for a long haul.

Marginalised But not Defeated is a study that attempts to trace the historical trend facing communities dependent on natural resources and shows their progressive marginalisation and deprivation from the resources they depend upon. It tracks the historical struggles made by them and repression they have faced.

The success of this study was largely dependent on the encouragement and guidance of experts, friends and well wishers. Viren Lobo, Ecologist and Livelihood expert was instrumental in successful completion of this study.

Tarun Kanti Bose is an avid writer and journalist, whose ear is on the ground. He has been writing on a vast range of issues of critical importance, be it social, economic, environment, health, livelihood, indigenous and nuclear. For the last three decades he has been painstakingly doing field work in the Adivasi areas, writing on their issues and trying to join their struggles. Prior , to this study he has documented the violations in the implementation of Forest Rights Act (FRA), 2006 by covering 11 states of India. The study was supported by Indian School of Business (ISB), Hyderabad. He can be reached at tarunkantibose@gmail.com and has a blog www.tarunbose.blogspot.com