The Neo-liberal Era- Sustainable Futures or Corporate Colonizations?

Ethnicity, Wildlife Conservation, ELMA

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I was utterly confused while skimming through the report by the high-level committee appointed by the Government of India under T.S.R. Subramaniam to review various acts governing our environment. Many constitution experts, sociologists as well as ecologists believe that an assessment report of such complexity deserves extremely skilful handling by specialists from respective streams of specialisation. However,the team assigned this responsibility appears to be absolutely unfamiliar in handling the subject .

In its preamble, the report agrees that the principal aim of environmental laws should be to ensure the enhancement of environmental quality parameters and maintenance of ecological balance. It also agrees that conservation management remains an interface of natural sciences with an awareness of social science perspective. As one proceeds further through the printed lines, one wonders whether the report means what it states, or is just a jumble of words to confuse readers, just as I was.

If undesirably, the recommendations of these 'experts' get their way, then all existing conservation laws would be replaced by the all-encompassing Environmental Laws (Management) Act or ELMA to ensure fast-track access of industry into forestlands. The impact on the geographical or social fronts from an industry will not be scrutinised by any government agency, but promoters on absolute good faith will be expected to issue clearance to themselves. Aberrations, if any, will be dealt with solely under the ELMA while existing appellate authorities dealing in environmental laws shall be stripped of all powers. In contradiction to whatever is elaborated in the preamble, industry interests will be safeguarded by re-alignments through a series of structural and process-oriented changes.

As if a great incentive, forests with 70 per cent canopy cover have been marked as no-go zones for industry and the rest as marketable. It should have been known better that forest with 70 per cent crown density is usually treated as a no-go zone by the majority of wild animals, especially the mega fauna of our country. The reason for this being: trickle of sunlight that seeps through the closed canopy does not encourage proliferation of ground flora, the source of survival for grassland species - prey for carnivores. Almost 85 per cent of India's vertebrate species survive in 40 per cent forest cover, or in some

cases, even lesser. The same is true even for the forest-dwelling tribal populations. Indiscriminate access of industries to these habitats, as recommended by the report, will cause indescribable distress to the wild animals and tribal people of India.

While pursuing a lifetime concern for conservation of elephants, a grassland species, I have come across instances of failed governance arising out of knee-jerk forest management practices that have eventually resulted in loss of large parts of wildlife habitats. In Orissa, I have seen how in the name of wildlife management within Chandka Wildlife Sanctuary, traditional forest settlers were uprooted and dumped in places unsuited to agriculture and with no access to irrigation, drinking water, etc. Such efforts ultimately encouraged the forest settlers to return to their original places opening an avenue to recurrent conflicts with the officials. Side-by-side, in another part of this sanctuary, large areas were de-notified to accommodate several industrial units owned by small and large operatives. I was distressed to discover discontinuance of access by elephants to the only perennial river in the vicinity owing to the presence of three of these industries. The British obviously learned from previous mistakes after facing several tribal uprisings and felt the need for designing appropriate strategies for seamless management of this ethnographical issue of great importance. They realised that conflicts originate from efforts aimed at the integration of close-culture societies and dominant cultures and this realization encouraged them to guarantee cultural autonomy for them. After a series of rebellions, several laws were enacted in different parts of the country. One act of significance was the Ganjam and Vizagapatnam Act, 1839. It was meant to remove entire hill tracts of the coastal province from the purview of general Indian laws. The district collector, though, was allowed to impart civil and criminal justice as he considered sensible.


Amphithetre of Death- abandoned mine pit

To give shape to the theory of governance of tribal zones, the British introduced Inner Line Regulation and the Scheduled District Act 1874, which was aimed at delineating specified zones for them to allow an uninterrupted flow of life, though, in years to come, to be denounced as too isolationalist in nature. Subsequently, ethnic boundaries that were planned to render some measure of protection against non-tribal land-grabbers were slowly erased as agents of market forces, money lenders, etc. overwhelmed the rural scenario with the process of obliteration being enhanced by the expansionist state machinery of free India.

Verrier Ellwin, the last of the protagonists for tribal causes in India had a very major role to play in drafting the tribal policy that had, to a great extent, formed the foundation of the Nehruvian fantasy: the Panchsheel or five rules of governance of tribal lands in India. Of the five dictums two were relevant to the cause namely, i) tribal rights in land and forests should be respected and ii) we should not over-administer these areas or overwhelm them with multiplicity of schemes. We should rather work through, and not in rivalry to, their own social and cultural institution. The other three were bureaucratic jargon.

In contradiction to accrued wisdom, our present day lawmakers who are not well informed about the distribution geography and ways of life of the tribal peoples of India conveniently mix up ethnicity and nationality. It is quite irrelevant to them that the forests and mountainous regions of our country are the traditional moorings of these pre-literate societies where sinful intrusions by the state machinery provoke violent resistance from these otherwise timid people.

For the past six decades, India's planning regime reflected a passion towards industrialisation at the cost of considerable administrative and legislative changes resulting in further deprivation to the rural masses. In our country, human response to extension of state control over land resources has been extremely unpleasant with ever rising incidents of blood-spilling conflicts occurring as a result of denial of claims of the forest communities on commons through forceful dispossession from traditional habitats. This is true both for India's tribal people as well as terrestrial biodiversity.

In Jharkhand, alienation of tribal communities from their land is not a recent phenomenon. Contrary to the truth, we are now asked to believe that tribal unrest in modern-day Jharkhand is caused solely through instigations by the Maoists who are, according to a former prime minister, “the biggest threat to India’s internal security” and hence, perfectly disposable.

In fact, tribal unrests have their roots in the medieval periods that flourished during the Raj. Enforcing the Permanent Settlement Act in 1793 through the Zamindari system introduced by The East India Company caused an upheaval among tribal communities. Consequently, there was a series of tribal revolts in tribal dominated areas. More than a hundred years ago threatening manoeuvres by Tribals of Andhra Pradesh, Chhattisgarh and Chhotanagpur compelled the British Raj to script several acts. The Santhal uprising in Santhal Pargana, the Kolh revolt in Kolhan in western Saranda, the Birsa Ulgulan through the central plateau region and the Maria Revolt in Bastar among many others, shook the company to the bone and resulted in the enforcement of several laws - The Wilkinson's Rules 1837 (proved to be not much of worth), The Ganjam and Vizagapatnam Act 1839, the Bengal Tenancy Act in 1908 (later to be renamed to Chhotanagpur Tenancy Act) and The Agency tracts and Land Transfer Act in 1917, to name a few. These Acts were, to a

great extent, successful in restricting transfer of tribal land to non-tribal in conformity to the prime objectives for their enactment: to deny alienation of tribal lands, allow traditional self-governance and preservation of their unique culture.

However, these laws have been seriously violated since the day India secured her independence in 1947. Now tribal people across the nation are once again demanding, often violently, immediate action against breaches in the law that have resulted in the loss of over 22,00,000 acres of land (only in Jharkhand) since Independence. Alas, history never finds a place in the minds of modern day planners.

The National Advisory Council constituted by the Government of India sent a recommendation to the government on January 19, 2005, with ample provisions to address the issue. The council strongly recommended that there should be no displacement of tribal people for any project (mining, energy or any other) in scheduled areas. However, those were the days when the Brahmin, of all sinister methods of infringement - the sacrosanct 'linear projects', had not been thought of by the planners. The Council went further by suggesting that the Land Acquisition Act may be amended in line with the Panchayat Extension to Scheduled Areas Act, 1996, so that the rights of people are protected in fifth schedule areas. The setting up of industries in scheduled areas without assessing their impact on the tribal economy should stop forthwith. No agricultural land or land used for community purposes may be allowed to be transferred or purchased to set up industry. At no cost should the laws of the fifth and sixth schedules of the Constitution be considered for amendment to open up areas of control or ownership to private non-tribal individuals, industries or institutions.

The British colonists identified the rural poor of their subject nations as the source for deforestation, soil degradation, groundwater depletion and decline of biodiversity. Unfortunately, such a deplorable legacy secured acceptance even among the rulers of modern India. Inheritance and subsequent propagation of misconstrued ideas by ill-informed rulers in post-Independence India prompted the scripting of environmental laws without considering ground realities. Sweeping changes in biological geography were brought about through changes in landuse from agriculture to industry that included conversion of natural forests for commercial forestry purposes. Among the first changes in legislation by newly independent India was Zamindari (Landlord) Abolition Act in 1952 that was implemented in great haste. Without considering consequences the Board withdrew occupancy and subsistence rights of the forest dwellers and with questionable intents allowed three months to erstwhile Zamindars to remove all the trees that lay on the floor as, beyond this period, all standing trees would be treated as State property. In these three months almost all standing trees were cut and dropped on the forest floor to be taken out at leisure (such incidents in Ramgarh State under Hazaribagh district remains a glaring example of governance by ignorant lawmakers). The board's decision

caused almost total denudation of large forest tracts in central and eastern India and withdrawal of user right to forest dwellers set about mass exodus from their original homelands in Chhotanagpur. Even today these homeless people or their descendants are forced to survive on the margins of life far away from their original homeland.

The international community represented by the United Nations thought it necessary to understand the complex relation between survival and resource use in a global perspective. The World Commission on Environment and Development was formed and it produced Our Common Future, a much read and criticised document, more commonly known as the Brundtland Paper. The document dealt largely on the concept of sustainable development of the world and anticipated that equitable resource management would form the basis for planning development strategies by states in future. It preached that a new era of economic growth can be attained, one based on policies that sustain and expand the earth's resource base; and that the progress that some have known over the last century can be experienced by all in the years to come. The foundation of the research for this document stood on the assumption that the progress has been for some and its aims — enlarging the area for others — were noted with great enthusiasm. Curiously enough, at one stage the document agreed to accept the fact that environmental stress has often resulted from the demands of high living standards of the affluent while, at a later stage, the author contradicted her earlier observations by failing to resist the temptation to blame the poor and hungry for destroying their immediate environment in order to survive. Once again, the prejudice of a citizen of the richer part of the world made its glaring presence felt. Even Ms Brundtland miserably failed to hide her elitist bias by overlooking ecological history.

Reminisces from the field – Will we ever learn from our mistakes?

While considering the threatening predictions of allowing industrialisation of open-canopy forests I recalled some of my most memorable experiences in the wilderness of India, it took me back 20 years into my past. In those days when being a concerned wildlifer was not as despicable a choice as now and questioning an ill informed decision of the government did not invite any ire like in the present and suggestions for actions that could mitigate the misery of the people and wild animals were not viewed in political perspective as they are done now.

With wife in tow I crossed the halfway mark of three kilometres in 3 hours of the most gruelling trek of our life to reach Toya Ching, a hillock in the centre of Kaibul Lamjao wetlands in Manipur. We were walking, dancing and sometime, wading chest-deep through gooey muck over the floating Phumdi through the only floating forest of the world to take a head-count of the sanghai or dancing deer (Cervus eldi eldi). Sanghai is known to be world's most endangered species surviving in a constricted habitat of only 40 sq km.

That was in the month of March, dry season in the North-east when the floating clusters of vegetation mostly composed of Sacharam munja and Diaseronia bulbifera- food for the sanghai and other ungulates- were supposed to be settled below on the lake bottom for the entire rainless six-month period when nutrition cycle is completed. More than three feet of water even in these months was the result of confinement of water by the Itahi Barrage, created to harness water to run turbines for Loktak Hydel Power Station of NHPL, Government of India. This plant was designed to generate five times more power than the entire state's demand of 50-60 MW, which was secured from other sources.

Lack of awareness among the forest officials as well as policy planners in those early years of the wildlife conservation movement in India produced several such examples of ill informed initiatives capable of wiping off a critically endangered animal species from the earth. I don't see any difference even now. Consider a scenario where the new Act is allowed to operate in these wetlands where canopy density is almost zero. What will happen to the lions of Gir? Their habitat is in semi-arid region where in larger areas tree cover is scanty. Will you permit establishment of industries within this only lion habitat of the nation?

Rawghat hills of Matla Reserve Forest in politically scalding Bastar district of Chhattisgarh are the home for the ethnically sensitive and furiously independent forest dwelling Maria tribes, who are aggressively opposing state efforts for cultural substitution by ruling class since mid-eighteenth century. These dense jungle clad mountains carry a long inventory of endangered fauna along with several plant species listed in the Red Data book while below its floors lie an enormous quantity of high grade iron ore. While making an Environmental Impact Assessment for this ore repository to be soon mined by Steel Authority of India, I found forest ecosystem to be 'unique' in several respects including higher productivity and low anthropogenic interventions. Species diversity and other biological attributes confirm the compact ecosystem to be a cradle that can act as a gene pool reserve for next generations.

Way back in 2006, I could not resist suggesting that the operating ore mines in Bailadilla lying only 70 km from Rawghat could be a better option from where 21 million tons of ore is extracted every year (of which nine million is exported to Japan). Here too profitability to promoters came in the way. Arguments put forward to contradict the selection of Bailadila as a sourcing site centred around the issue of uneconomical price at Bhilai due to expectedly high railway freight. I felt needs for conservation of this ecologically extremely sensitive forest should counteract the implications of a financial difference, and NMDC (Bailadila operators) and SAIL both being Government of India organisations, should be able to offset the difference through mutual consent. I still wonder how Japan is operating profitably after buying from Bailadila.

Now I hear, not only SAIL but many others like ESSAR, TATAs. etc., are queuing up for a share of the loot. Depressed market for steel is somehow delaying the process of disembowelling these treasure troves but sooner than later, the demand scenario will change and then…?

The idea of India – any space for her resilient poor and silent forests?

Back to the very recent times. Notwithstanding the fact that by now conservation laws in whatever wilted form have remained in force for well over three decades, forest officials and policy planners in disregard to warnings by concerned people are committing similar blunders without considering injurious consequences like threatening life in the jungles. Near my home in the jungles of Palamu in Jharkhand, a coal based power station was to come up alarmingly close to Palamau Tiger Reserve and Lowalong Wildlife Sanctuary.

I was asked to complete the futile ritual of preparing an assessment report on the possible impact of this coal-based power plant on the forests, wildlife and local tribal people. I was shocked to note that the cooling and ash pond of the plant that would generate 1500 mw of power was planned at the site where three perennial springs originate to flow east and turn into the mighty Damodar River. Incidentally, the promoters had no idea of any other source of water that would be required by this giant plant and possibly the Damodar would be aimed whose catchments were being planned to go under their own ash pond!

Later, I discovered that this power plant was planned only to get an actual users license for exploiting low-sulphur coal from the coal block in the close vicinity. Trading in coal is a more profitable idea than generation of power and selling to the National grid. Surprisingly, everyone in the official circles were in the know of such ill-intentions of certain industry promoters; like a fool I realised the intricate prints of this simple ploy rather late.

Several villages were displaced by Tata Steel at Joda and Nuamundi of west Singbhum district. New projects are in the pipeline in East Singbhum (Patka), Seraikella-Kharswan, West Singbhum (Karampada and Manoharpur) by SAIL, Tata Steel, Bhusan Steel, Arcelor-Mittal etc which are being violently resisted by the local tribal communities. These proposed mines will take away more than 5000 hectares of mostly forestland with hundreds of villages, tolas and hamlets. Incidentally, the most important Elephant Transit Path (ETP) in central India that extends between Kapilash Wildlife Sanctuary in Orissa and Dalma Wildlife Sanctuary in Jharkhand dribbles past open cast iron ore mines spread over 74000 hectares of once forested wildlife habitat but now converted to a depressing landscape of barren hills, dried nullahs with desolation written all around. The expansion of mining activity will cause confinement of more than four elephant populations in isolated habitats of unsuitable size. The alarming state of Human-Elephant Conflict (HEC) scenario will turn even worse.

Unfortunately, for unknown reasons, data on the status of internally displaced persons (IDP) from mining areas in Jharkhand are never made public by the state government. Even my personal contacts with the State's home department failed to secure any positive response. I had to rely on unofficial data secured through various sources like the project proponents and ground level district authorities. The displacement history of Jharkhand (including erstwhile Bihar) is very old. However, in modern times during 1980 and 1995, the total number of IDPs stood at 402282. It all began from making room for coal mines. Jharkhand is the biggest producer of coal in India and modern day mining follows open cast mining system that strips vast areas of land. It has removed a great number of villages, its people and entire stock of wildlife, prominent among them being the tiger, sambar (I always described them to be the largest specimen in the country), wolf and the cunning but most efficient survivor: the leopard.

In Hazaribagh - the land of thousand tigers as it translates into English, has lost its greenery almost entirely from open cast coal mines to change its geographical profile to such an extent that almost all streams have dried up, agricultural fields remain barren throughout the year and only lifeless tree strands remain as evidence to a time of glory left behind only two decades earlier.

Over the past three decades, several nationalised coal companies have acquired extensive land areas that have displaced an immense number of original residents, all of whom were scheduled tribes with deep roots in these lands of their forefathers. According to an estimate, between 1981 and 1985, the Central Coalfields acquired 1,20,300 acres of land. Similarly, Eastern Coalfields has acquired about 30,000 acres during the Sixth Plan period displacing more than 32,750 families. The Rajmahal Coal Mining project of Eastern Coalfields Limited in the Godda district has already displaced about 6,000 people from seven villages. The Piparwa Coal Project located in the North Karanpura valley started in January 1990 is the first of more than 24 new open cast coal mines that are in the pipeline. According to official claims the project will displace 460 families from two villages. However, unofficial reports say that at least 25,000 people from 14 villages and hamlets will be displaced along with many thousands more who would be indirectly affected by the mines.

Small steps, large dividends and sustainable civilisations

It would be inconsiderate to treat me as one promoting no-industry concept. I only suggest planners must consider other available environment-friendly options that could, on one hand, mitigate the problems for the forests, its humans and animals, and on the other, allow industry to flourish. In case of mining for coal, there are other environment-friendly options for sustainable mining practises - miners know all of them but won't follow as these are less-profitable to the industry promoters. An example: in contrast to open

cast mine that strips forest floor of all vegetation and displaces thousands of people, underground mining for coal, that was in vogue in the Damodar Basin for a century and a half, allows the forests on the surface to remain untouched as coal is found in 'seams' that run underground for miles. Miners climb down the shaft to dig through the seams and keep vegetation and its dependents over-ground, intact. It is unfortunate that only the cost to the promoter is calculated while no one bothers to ascertain the cost to society through the removal of forests, drying of river sources and the frightening level of environment pollution that are caused by open cast mines.

Way back in 2002, the United Nations Working Group on Indigenous Peoples met in Geneva and reiterated the fact "that the traditions of indigenous people in the Chhotanagpur Plateau remains threatened from North Karanpura Coalfield Project. These proposed mines will completely destroy the hundreds of villages and displace their population, replacing them with vast open pits hundreds of feet deep and several miles across. In post-independence India coal and iron ore mines have displaced over 30 million tribal peoples only in Jharkhand. The dignity and pride of these once-proud forest people (with whom I spent two decades of the most rewarding period of my life) has been inhumanly abused by the lenders of the First World countries who are still greedily eyeing towards these forests as target for ever greater lending opportunity."

The link between conservation science and industrial quest has traditionally remained a dominant feature for discussion and an area of dissent between users of wildlife habitats and wealth pursuers. One hopes that the government will understand that conservation and development can be aligned to assure better quality of life to all inhabitants. It is time we understand the true meaning of conservation and ensure a habitable earth for the generations to come. Why not we initiate a pan-India brain-storming session to weigh the evils and virtues of promoting nuclear power options for this vast country that has the potential for phenomenal growth in demand for clean energy?

About the author

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