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CONFLICT RESOLUTION AND PEACE RESEARCH PROGRAMME

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NIAS Policy Brief

Natural Resource, Conflict and People's Movement A Strategy for Resolution

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Long-standing conflicts around rights over land, forest, and water resources have led to the emergence of several people's movements. A study conducted by the Conflict Resolution and Peace Research Programme at NIAS, supported by the Indian Council for Social Science Research (ICSSR) brought out critical aspects involved around conflicts over natural resources leading to people's movements in Odisha. The organized efforts by several people's movements demanding rights over resources have been a critical factor leading to multiple conflicts in and around the tribal majority districts of Kalahandi and undivided Koraput. The immediacy of the conflicts in the form of people's movements demands critical attention for effective resolution.

How do we develop a strategy towards addressing the demands of the marginalized people over their rights on land, forest, and water resources that would eventually resolve the conflicts in forms of people's movements?

Issues

India's development journey, in terms of economic growth, modernization, and process of nation-building, has induced several conflicts. In its endeavor towards development as the state takes control over the natural resources, a portion of the population, mostly the marginalized communities, have been deprived of their rights over land, forest and forest products, and water resources. These demands have taken the shape of multiple people's movements leading to sustained conflicts. The specific issues around which these movements function are the followings:

A major issue around which most of the movements function is land alienation, especially among the Tribal and the Dalits. The acquisition of land for development projects like mining, the establishment of factories, hydro-electricity projects have been an important factor leading to alienation among the marginalized communities. Moreover, the transfer of tribal land to the

non-tribal, through illegal means, have also contributed to land alienation. A second important issue is the displacement of households and limited rehabilitation. The loss of land to the development projects has also contributed to the massive displacement of families, especially marginalised communities from their native places. Despite the governments' efforts for rehabilitation, thousands of families remain displaced. A third critical issue is the deprivation of rights over forest and water resources. With the state taking control over the forests in terms of categorizing them as reserved or protected forest, the rights of the forest dependants have been curtailed to a great extent depriving them of their rights to collect minor forest products. The same goes for people's rights over water resources. A fourth issue is regarding the dilution of constitutional rights of the marginalized communities which leads to resistance movements. A critical issue in this regard has been the nature and functioning of the people's movements since they are understood through the prism of the Maoist movement.

Findings

People's movements are a result of long-standing deprivation of rights over land, forest, and water resources. A major factor leading to land alienation is a lack of awareness among the people on their rights. The nexus among the government officials, private contractors, and the local elites (Sahukaras) has taken advantage of marginalized communities' lack of understanding of the legal and constitutional provisions of their rights. The land acquisition process for most development projects hardly complies with the existing rules. Similarly, the compensation offered in exchange for the land is also observed to be violating



A displaced *Damba* making a new shelter

the legal provisions. Lack of implementation of the constitutional and legal provisions like the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) and the Forest Right Act (FRA) which empowers the marginalized communities in the Scheduled areas in terms of protection of their rights, makes them more vulnerable.

The absence of the state machinery in terms of providing services like education, health, justice, and employment to the local communities is a critical finding of the study. The presence of the state is mostly limited to the presence of the security forces to fight the Maoists or to securitize the development projects. The over-presence of the security forces and the absence of other state machinery have been major factors distancing people from the state. The forces like the Maoists have taken advantage of the situation through communicating with the people highlighting the failure of the state.

The people's movements demanding their rights are mostly spontaneous, peaceful, and localized in nature. However, we have observed the involvement of outside activists in some of the movements. In some cases, the outside leaders who supported these movements are also seen to be supporting the outlawed organizations like the Maoists which helps the state administration suspecting links. While movements like the Niyamgiri Suraksha Samiti (NSS) have been successful, through legal procedures, many have not been able to achieve their stated objective. We have also found democratization of people's movements at village and panchayat levels with limited linkages with each other. This signifies the consciousness among the marginalized to fight for their rights.

While most people's movements are independent some are alleged of having links with the Maoists. The Organisations like the Chasi Mulia Adivasi Sangha (CMAS) have been accused of working as a front organization of the Maoists. While the direct links between the CMAS and the Maoists are yet to be proved, we observed a process through which a popular movement is linked to a 'revolutionary brand' of Maoism. The Maoists are keen to be linked with organizations like CMAS to garner larger legitimacy for their movement. The state, by linking it with the Maoists, converts the social grievances to security concerns.



Tribal exposed to alternative water sources

As the state, private actors, and the local elites have control over the larger share of natural resources, this also led to conflicts among marginalized communities due to limited availability of resources to them. The Dalit-Tribal conflicts between the Dambas (Scheduled Caste) and the Kandhas (Scheduled Tribe) in Koraput is a result of competition over limited land resources between two marginalized communities. This conflict has caused massive displacement of the Dambas from their villages.

The Implications

People's movements around the issue of natural resource distribution have sustained conflicts in various forms and shades. Movements like the CMAS is a result of land alienation among the marginalized communities. The issues of tribal identity, belief system, and assertion of rights over forest and land led to the Niyamgiri movement which rejected the proposal for mining. Similarly, the Prakrutika Sampada Suraksha Samiti pursued the issues of ownership over land against the acquisition for industrial purposes, conservation of forest and water resources, and assertion of local identities that are linked to the natural resources. The presence of these movements has (in) direct implications on the Maoist movements that pose a threat to internal security. The Maoists, taking advantage of the failures from state machinery, make attempts to garner support from the local communities through their grievances.

Sustained conflicts in forms of people's movement and the presence of the Maoists have larger implications on the relationship between the state and the people.

There is a trust deficit between the state and the people. This has become a critical factor for the state facing resistance from the people on the development projects it carries out. The failure of the state in effectively addressing the grievances of the people also raises questions about good governance and policies of inclusion.

Policy Interventions

An effective strategy towards the resolution of conflicts around the issue of people's movements demanding legitimate rights over land, forest, and water resources could consider the following recommendations:

1. Create awareness among people on their rights

The state needs to take initiatives to create awareness among the people on their rights through multiple institutions. Enhancing the standard of education can be an important step towards creating awareness. Secondly, local institutions like the Gram Panchayat should conduct programs explaining the people about their rights and entitlements over land, forest, forest products, and water resources. Thirdly, there is a need for translation of legal and constitutional provisions to the vernacular language and dialects.

2. Making presence of state visible

The presence and visibility of the state machinery in the conflict-prone areas is a priority. The state presence should be felt through its governance and grievance redressal mechanism. The state institutions like the schools, colleges, hospitals, and administrative offices must be functional and serving to the needs of the people. The security and police forces should prioritize to provide safety and security to the local people from the fear of non-state actors like the Maoists. The legal system for providing justice to the local people from the exploitation needs to be made accessible.

3. Establishing collaboration with local community-based organizations

There is a need to identify the local civil society organizations and encourage them in creating awareness among the people on the state activities and work as a bridge communicating between

the state and people. Establishing collaboration with such organisations will help in resolving the conflicts. Such organizations should apprise the state administration to the genuine demands of the people. Moreover, addressing the demands of the people through these organizations will ensure legitimacy to the activities of the state administration. Through these organisations, the state should reach out to the people's movements. This process would help decouple people's movements from that of the Maoists. The role of NGOs and civil society organizations based at far of places have been very limited.

4. **Ensure rights and entitlements of local people**

As most of these conflicts are in the Scheduled Areas, the enforcement of provisions of the PESA and Forest Right Act should be a priority. For any development and mining activities, the consent of the local population through the village council meetings should be made compulsory. Ensuring minimisation of political inequality and working towards an inclusive decision-making process would empower the local people.

5. **Rehabilitation of the Displaced People**

As thousands of families remain displaced, their demands for rehabilitation and compensation are often seen as resistance against the state or any development projects. To win the hearts of the displaced families, their immediate rehabilitation through granting them land ownership from the unused land should be undertaken. Additionally, employing members of displaced families would also help in the rehabilitation process.

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