CHAPTER V

CONCLUSION

Mining sector is poised for spectacular growth in the country. Now mining ventures are expected to cover large areas and highly capital intensive. Such ventures might establish their own processing and manufacturing units. The associated infrastructure development would also take place at a rapid rate. Their resource need will be high in terms of land, water etc. The ongoing mechanization of mining operations will be intensified yielding fewer work opportunities to the local population.

At the policy level the stakes are tilted towards dominant minority. In order to facilitate exploitation of natural resources, the Central and State Governments have put halt to land reform activities and relaxing restrictions under Land Ceiling Act. Increasingly, the Government is resorting to emergency provisions to facilitate speedy acquisition of land. Further, there is move to shift powers of environmental clearance vested with Ministry of Environment and Forests, Government of India to State Governments. The State Governments are not equipped to subject projects to serious environmental conditions. Thus in the new economic liberalization regime, the State is making it far more easier for acquisition of land. Besides legal formalization of land acquisition for mining and related purposes, the extra legal activities of illegal mining and encroachment into areas other than the legal leasehold are happening simultaneously. For the majority of the people in the country, it means a gradual process of marginalisation with the loss of land, loss of access to resources and ever deteriorating bargaining power.

In the meantime the promised national policy on rehabilitation is put on hold. The tribal people in Orissa, Bihar, Madhya Pradesh and Ardhra Pradesh face greater prospects of economic and social marginalisation.

Large-scale displacement shrinking resource base and growing population pressure is already forcing out local people in search of livelihood opportunities elsewhere. Since the mainstream economic activities are not capable of accommodating majority of the people they have no option but to accept available position in the economic hierarchy.

On one hand labour is increasingly growing redundant as the state is restructuring public sector units, basically pushing out semi-skilled workers. The growing supply of cheap labour resulting in a burgeoning unorganized sector. These peripheral economic activities under extremely exploitative conditions are feeding the profitability of organized sector.

An increasingly indebted state is making no attempts towards keeping development at tandem with the people of the country. Allocations under poverty alleviation and relief work may increase in every plan without making a scratch on the extent of growing impoverishment in the country.

Mining is highly degrading as far as the environment is concerned. The exploitation of mineral resources is resulting in degradation and destruction of forest, agricultural land, rivers, other fresh water sources, complex ecosystems, flora and fauna. And all these are happening very fast.

Even if private and public sector mining companies adhered to environmental regulation (which is not happening), it would be difficult to keep pace with rapid rate of destruction.

To justify an intervention effort from a particular point of view, the following stages are critical.

- An attempt to develop an understanding of the complexities of the situation.
- To have a realistic estimate of ones capacity to make an effective impact on the situation and defining a role accordingly.

In this section an attempt is look at the possibilities of intervention in each stage of the process the process is made under two main sub heads, namely the broad area of concern and the intervention strategy.

The determination of the broad area of concern will be highly context specific. For instance in case of Orissa, keeping in mind the nature of large number of mining projects under implementation, it can be defined as displacement.

Broad Area of Concern: Large-scale displacement and the resulting losses encountered by people.

The nature and method of Intervention

This would depend to a large extent on the life cycle stage of the concerned project. These could be categorized into:

- **The MOU stage** (e.g. the company had just entered into a written agreement with a state owned Corporation for mining a certain mineral under stated terms and conditions)
- **The lease/license application stage** (e.g. the company has applied for either a mining lease to mine known deposits or a prospecting license to undertake exploration work for mineral deposits)
- **The Surface rights stage** (The area in which the company wants to mine has an existing land use pattern. It could be partly under agriculture partly under forest department, parts of it could be village common land etc. A mining lease becomes functional only after surface right has been acquired from the various parties concerned)
- **Land acquisition notice stage** (The state can acquire land on behalf of a mining company. This simplifies the contentious issue of obtaining suface rights from a private landowner)

- **Rehabilitation options prior to displacement**
- **Rehabilitation measures, bargaining for better deals after displacement**

Catching the projects in the earlier stages of their life cycle can ensure better bargains for the people. It is therefore important to create an extensive database on different projects gaining entry into a particular area with all their parameters. If information on lease hold areas applied for mining plan and other parameters then it becomes simpler to enumerate impact in terms of how much land the kind of land the names of specific villages to be affected.

Basically two kinds of information are important. First, about the doings of the mining company, secondly, about the impact area. Having obtained this information, it should be widely disseminated in the villages/areas to be affected as well as to the public in general. One would have to be ready with figures of anticipated displacement and details of other impacts, before the project comes out with its figures.

In case of foreign investors in mining efforts should be made to obtain information about their performance in similar projects especially in the Asian and African context. Any evidence of major violations and also the nature and extent of damage by similar projects should be made public.

The process can continue through all the stages but should begin early. The information obtained should be communicated to the last detail to the people who are going to be affected by it.

All these information would prove useful even in cases of projects that are half way through. For instance, they could be used for unearthing legal discrepancies involved. Since violation of environmental and mining legislation being more of a practice than an exception especially in the third world context ample scope will be available to deal with the project.

In case of projects at an advanced stage where displacement has already taken place, the task is to push for best possible rehabilitation deals under the circumstances.

In the new projects coming up, delaying till displacement stage could mean a lost cause as many activities are happening simultaneously and they are happening too fast. An informed resistance is what is required to withstand this onslaught. And the resistance would have to be among those who lose the most.

In looking for 'grass roots resistance', there has been mighty few of them in recent years. A sincere effort at understanding limitations within organizational set ups of conventional interveners like the NGOs would go a long way in developing a strategy wherein we check our own premises, make a sincere effort to understand the limitations and set realistic goals.

In places where the mining activity has been in operation for years the broad areas of concern could be related to livelihood issues as well as from the point of view of environmental degradation. To deal effectively with livelihood and environmental degradation issues, it may be useful to look at legal aspects to be able to detect the violations.

An informed resistance may be the most important strategy to demand better wages, better working and living conditions and overall improvement in bargaining capacity of the people. What is apparent is that we are dealing with system with extremely skewed power relationships. In a finite system the only way to deal with such imbalance is to reduce powers vested with conventional power holders in this case the mine owners. Collective resistance by the people could be successful in wresting away some of this power in the process gaining the crucial bargaining power to improve their entitlements.

Role of intervention, space for the community

In all strategies discussed here the most important ingredient is involvement of the community. It has been proved conclusively that without enlisting the support of the affected community, interventions, however creative in their concepts do not get translated into tangible gains for the people. Bargaining power for the people can be realized only if they play an active role in the process of bargaining. What ails interventions today is the tremendous gap between theoretical models and complexities of the actual situation. Whereas the broad impacts of modern development have a certain broad uniformity in its impact, the variations are as numerous. Any activity that aims to effect some change in this context, will have to be as uniquely constituted as the context itself.

One of the biggest assumptions underlying most intervention programmes has been that local communities are unaware of the nature of changes that are happening around them. Communities are also hierarchically constituted organizations. A community also has a variety of stakeholders. Any changes will therefore differentially impact various groups in the community. An intervening agency, which treats the community as uniform entity, is making a mistake. At the same time, identifying exclusive groups from within the community and working only with them is also not the perfect solution. Each group is located in a community through certain relationships. Irrespective of the nature of this link there is considerable identification associated with it. This phenomenon has grown over time. Therefore d a new kind of relationship has to develop with the external intervenor and this group, it would also mean time among the other important criteria. Most intervenors do not seem to realize that older linkages however exploitative also have that advantage of age and familiarity. No doubt this relations need to be redefined but it can only happen if intervenor in question has been able to establish credentials.

Resource intensive interventions always face this situation. Unless the community is equally concerned and convinced about an issue chances are that the intervention would be manipulated or left unclaimed.

An intervention should ideally evolve from within the community. Failing which at some point in time the community should take over an ongoing intervention. This can only happen if the community identifies with the intervention so much that it claims ownership.

This process is especially important in issues where the tussle is over basic rights and entitlements. These could be in the form of land rights better wages, safer working conditions, health facilities, compensation, rehabilitation, the list is endless.

A poor understanding of the context and the communities living there could lead to internalization of popular myths. These will only succeed in alienating the people further rather than making effective inroad into the issue concerned.

The complexities of the actual situation would provide innumerable possibilities. No single situation can attain the status of a model and no single method can work in isolation. What is most important is to believe the criticality of the situation and to feel the extent of loss. It is like a war out there. An unequal and deceitful one at that.