

INCLUSIVE DEVELOPMENT OF  
**ODISHA**

PROSPECTS & CHALLENGES

Volume 1

**Manas Jena**

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## FOREWARD

This is a very important contribution by a well-known human rights activist and democratic voice of Odisha who has not only been a part of people's movements but also has studied major issues affecting common people. In the recent years, Manas Jena has not only been on the forefront of people's rights movement leading demonstrations, submitting memoranda and approaching courts for legal redressal for rights violations, but also writing articles, producing investigative reports and authoring research papers. I am so glad that he has put together some of his writing in a coherent framework and has produced this book. The three sets of interrelated issues dealt with in this book are the rights of the oppressed groups- on what the author calls social inclusion – the question of making economic development equitable and the approaches to representation and governance. On each of these problems, the writer reflects an activist's commitment as well as insightful scholarship.

The author's main approach is that if the provisions of the Indian Constitution are respected by the state and all sections of society then prospects of equality and freedom for all will be brighter. Unfortunately, even though laws have been made to implement the constitutional promises they are not implemented fully. This is a basic demand from the vantage point of democratic rights. There is no utopian demand made in this volume. Formulating and implementing positive laws, providing representation to the deprived communities, designing economic policies that help the poor and the marginalised and doing all this by closely observing the life experiences of the common people are the main line of argument in this volume. Even the electoral reforms suggested are advanced keeping in mind some practical problems of non-representation and distorted outcomes in the present system.

The focus on concrete issues affecting the poor and the marginalised is a distinct feature of this book. Cases of Dalit atrocities, problems faced by school kids, insecurity of women workers, livelihood rights of fisher people, rural housing, the ground reality of Public Distribution System (PDS), the condition of Adivasis in mining areas, the flawed rehabilitation policy are some of the examples. The reader will get a closer view of the actual situation in this book.

The totality of the social situation and the political economy is presented in these pages not only as a theoretical statement but as inter-connected explanations with illustrations from life experiences. Caste, class ethnic and gender domination pervades Odisha's polity and society and there are a number of articles in this volume which illustrate that. Upper caste domination was earlier sustained mainly by land ownership and now also by the extractive mine-based industrialisation. How the Dalits, Adivasis, poor peasant, landless agricultural labourers and women suffer in this system comes out very well in these writings. Why land rights movements should be at the centre of the Dalit, Adivasi and farmer's movements can be understood better after reading this book.

Let me state a point about the terminology used. The term inclusion and exclusion acquired prominence in the era of Globalization replacing equality and injustice. Thanks to the ubiquitous drive in the media and politics even human rights activists have started using these term. In this book, however, the term inclusion directly points to the rights of the oppressed groups.

I highly commend this work by Manas Jena to all those who wish to get a first-hand account of Odisha's social reality and work for realising the rights of the marginalised section.

**Manoranjan Mohanty**

*Former President, Odisha Gabeshana Chakra  
Retired Professor, University of Delhi*

## PREFACE & ACKNOWLEDGEMENT

This book is a compilation of my articles published in different newspapers and magazines on issues relating to the marginalised communities of Odisha. I have been part of people's movements, rights based work and policy advocacy for building and inclusive Odisha by including the historically marginalised communities in the bottom of socio-economic strata who are left out in the ongoing development process and further pushed into the periphery. Their issues and problems get a very minimal space in media and state policy making process in spite of constitutional mandate to establish equality and ensure equal opportunity in all sphere of social, economic and political life. In my articles, I have tried to highlight the gaps at a different level from policy to programme implementation and also suggested for possible intervention by state and other concern.

The book is divided into three sections which includes towards building economic inclusiveness (access to land, forest, water, credit, budget, wage, and employment, social security and basic services) strengthen inclusive governance and towards social inclusion these three are interconnected and very much require for inclusive development of Odisha.

I take this privilege to thank Shri Sarada Prasad Nanda, Residence Editor, The Pioneer, Bhubaneswar edition who has provided space to reach to the wider reader through a weekly column by me and many others who have encouraged me to write on issues of the poor. Many readers, friends and well-wishers from different walks of life suggested me to compile these articles into a book form for its wider use by all sections of people.

I thank Shri Anand Kumar Bolimera Country Director, The Change Alliance, New Delhi and Dr. Kumar Prasant, Director, Vicalp, Berhampur for their support and encouragement in my ways for the publication of this book.

Prof. Manoranjan Mohanty has been kind enough to write a foreword for the book, M.C. Raj Campaign for Electoral Reforms in India (CERI), and many others have supported me with their inputs for this work. I am indebted to my colleague Prasant Kumar Mallick, Sisir Tripathy, Ashisa Ranjan Mohapatra and my family members specially Smitarani Pattanaik and J. P Manasmit for their cooperation and

support with all eagerness to see this book. I also thank Mr. Anil Yadavrao Gaikwad and Mitali Anil Gaikwad for their cooperation in editing this book.

I hope this book will be used as an instrument in the realisation of the basic rights of the marginalised in Odisha by strengthening people's movements and struggles and contribute to the process of building of an inclusive, democratic and vibrant Odisha. I request to all those going through this book to kindly mail me their comments and suggestion for its further improvement.

Manas Jena



# CHAPTER-A

## BUILDING ECONOMIC INCLUSIVENESS



## NEEDED: POLITICAL WILL TO REMOVE REGIONAL DISPARITY IN ODISHA

Historically, issues based on disparities pertaining to geographical area, social groups and sex remain unaddressed to ensure the inclusive development of all regions across social groups.

The State is not just a geographical boundary but it includes its people. The post independent economic development process in Odisha has not generated much employment for all sections of people across the State as evident from the growing unemployment situation and distress migration to outside States. The economic policy has contributed in widening the rich-poor gap across social groups as well as regional disparity. The women, Dalits, Adivasis, labourers and farmers are in bottom line. It is evident from the statistics of the Government that many of the middle age socio-economic issues such as child labour, bonded labour, distress migration, trafficking, hunger death, illiteracy, social discrimination and poverty are still prevalent in the State in spite of rule of a regional party for four times consecutively. These issues are the consequences of the economic policy of the Government for the last sixty years. The long pending regional aspirations of the people in different parts of the State remain unaddressed.

Justice SK Mohanty commission's report on regional imbalance submitted to the Government in 2008 identified south-west districts such as Malkangiri, Nuapada, Gajapati, Ganjam, Kalahandi, Kandhamal and northern districts like Mayurbhanj, Sundargarh and Keonjhar as most underdeveloped. This region is home to a majority of the total poor of the State but it is contributing more to the State treasury in terms of SGDP. It has been observed that there is a serious disparity in the development of different regions and social groups in the State who lag behind in every aspect of human development index. The south-west and northern part of Odisha remain backward in many aspects of human and social development as well as in terms of educational, health, infrastructure and communication. The most serious concern is the lack of basic amenities like drinking water, electricity and connectivity. The lop-sided development has a serious impact on the economic growth of the State and very negatively encourages separatist tendencies, violence and extremism out of a

sense of alienation and underdevelopment in comparison to others. It is affecting production, social peace and quality of life.

The charity, subsidy and welfare programme such as Rs 1 per kg rice and old age pension remain dominant discourse in political mobilisation of the poor people of the State. Corporate investment in mining and industry is being projected as State economic development and the role of State investment in economic development remain minimal. The development model of the Centre, schemes and programmes are being replicated by the State without any local innovation and considering the local context and relevance and a regional economic development perspective.

The coastal districts remain always prone to natural calamities and every year people routinely suffer from loss and damages and it becomes the responsibility of the State to intervene in an emergency through humanitarian relief and other services. This has been a regular State expense without a permanent solution to such tragedies. There has been no plan by State except relief to the affected people hit by flood, drought, cyclone and disaster. The biggest work done by the Government is the rescue operation and humanitarian aid. For the last sixty years, there has been nothing beyond relief. The people in river banks and coasts become worst sufferers. As removal of regional disparity in development is one of the important agendas of the State which has been reflected in implementation of programmes like Biju KBK Plan, Biju Kandhamal O Gajapati plan, Gopabandhu Gramin Yojana, Western Odisha Development Council (WODC), Backward Regions Grant Fund (BRGF), but these programmes have not yet created any substantial impact in removing regional disparity with low budget and lethargic bureaucracy. As a consequence, the backward regions of Odisha witness the lack of local employment and a low wage which encourages distress migration. The people do not have basic minimum amenities while the quality of life is the same as before without much change.

There are areas which still remain inaccessible and are branded as backward. Even there are districts without railway line and with zero industry. The long pending demand for Khurda–Balangir railway line and High Court bench in the western part of Odisha still remains unresolved in spite of continuous uproar. Odisha was formed as a linguistic province consisting of six districts such as Sambalpur, Koraput, Ganjam, Puri, Cuttack and Baleswar in 1936 and later in

1950 the others were merged. Broadly the whole area can be divided into three parts as areas under direct British rule, feudatory States and tribal areas which are different from the other two. So for the historical and geographical reason, the regional socio-political and socio-economic issues are different and there was the absence of comprehensive administrative and legal mechanism to plan for the whole State till 1950. The community development block concept was introduced in the early sixties but there have been serious limitations in the formation of blocks as development units without considering the purpose of such formations.

The budgetary allocation should be based on the income of the district or a particular region. The regions contributing to State treasury in terms of natural resources, minerals, forest produce, and the marine product should get preferential treatment. It is unfortunate that the people in coal, hydropower and thermal power plant area are not getting adequate electricity for their basic consumption. It is found that the areas coming up with industrialisation and urbanisations are being captured by the dominant educated social groups by displacing the poor, illiterate and marginalised social groups to the periphery and depriving them of the job, business and other economic opportunities created in the area.

Budgetary provision should strictly follow Scheduled Caste Sub Plan (SCSP) and Tribal Sub Plan (TSP) in allocation and spending to reach to the most backward social groups and the allocation should consider their population in different level while allocating the resources.

The State should invest to change the basic economic structure through its radical economic policy in favour of the backward region through land reform, education, irrigation, electricity, rural industrialisation, forest-based NTFP, agriculture and tourism which always take a backseat. Industrialisation in the State is not integrating to all regions. It should base on value addition by integrating manufacturing and ancillary industries in backward regions of the State. The State should have its own power plant and an attempt should be made to decentralise energy production for its domestic consumption. Solar, wind and other forms of energy sources should be explored to minimise pollution and displacement.

Odisha being a land of diversity and diverse ethnic groups, the issues of different social groups need to be integrated into the State plan for

an inclusive development. Regional economy and planning should be encouraged as a subject in colleges with State specific subjects like mineral economics, forest economics and marine economics. The Government should generate adequate disaggregated socio-economic data and impact assessment reports which should be made available to policy makers, researchers, development planners and administrators. The institute like Nabakrushna Choudhury Centre for Development Studies (NCDS) and Gopabandhu Academy of Administration and the universities in the State should collectively take a lead in the process in building a perspective of economic development involving political parties and academics of the State to mitigate regional imbalances and disparity in development.

The elected members with less influence may not be able to mobilise much for their constituencies especially leaders from marginalised groups and backward areas. There is a need for administrative and academic commitments to translate the dreams and demands of the people which should be reflected in the political will of the Government. The elected people's representatives should have very active and larger role in policy making for the people of the State as a whole rather than the leader of any particular constituency.

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## GIVE HOMESTEAD LAND TO POOR FOR STATE'S INCLUSIVE GROWTH

Homestead land is a basic necessity for a dignified life and livelihood. Every individual and family needs a house for shelter and settled life for which homestead land is the precondition. The homestead land rights include both Record of Rights (Patta) and possession of the land.

It is reported by the Odisha Revenue Department that there are about three lakh families in the State are homestead-less. A majority of these homesteads-less family belongs to the Dalit, Adivasi and other backward communities of rural and urban areas.

There are poor families in rural areas which have no homestead Patta-land to securely construct houses as a large majority of them is put up on the so-called Government lands or community lands since generations which have not been recorded in their names because there have been no survey and settlement initiatives carried out by the Revenue Department.

In many of the State's coastal areas, there are tiny hamlets consisting of six to ten Dalit families living amidst paddy fields, coconut stretches and on banks of irrigation canals and rivers. Hundreds of years back, their forefathers came there to serve the landlords and since then got stuck there as bonded labourers and later on their family sizes grew numerically. But they have not yet got any legal sanction either from the ex-Zamindar or the revenue authorities to own that land though they have been staying there since the last 100 years or so, almost more than three generations!

Odisha has 52,551 revenue villages and about 4,091 Pada villages to be converted to revenue village as proposed by the Revenue Department. There are 104 urban locations including 63 Notified Area Councils (NACs), 37 Municipalities and three Municipal Corporations in the State. There are thousands of homeless families living in sub-human condition in the urban slums and outskirts of the city areas without the basic minimums for life.

The problem of housing and homestead land was well-identified in the anti-British and anti-feudal struggles in the State against the Gadajat

Kings and the British in almost all 26 Gadajat areas which were later merged in Odisha in 1948.

The landless poor agricultural workers in the coastal areas, mostly the Dalits, had dreamt of getting land of their own to build houses and be liberated from the yoke of Zamindars.

The framers of the Constitution of India, recognising this problem, have made provisions of radical land reforms. Land being a State subject much depends on the approach of the State Government though there are Central guidelines also.

In the post-1950s, the States like Andhra Pradesh, Kerala and West Bengal made specific provisions for ensuring homestead land. The Odisha Government brought two important legislations, i.e., the Odisha Land Settlement Act, 1962 and the Odisha Prevention of Land Encroachment Act, 1972 to settle homestead land with landless poor both in rural and urban areas. The laws worked very effectively during the 1980s in spite of their limitations, but they failed to reach out to all homestead-less families. Realising the situation, the State Government has launched a programme in a mission mode in the name of Vasundhara since 2007 with the objective to make the State homestead landless-free, though the programme is limited to rural areas only.

The approach of the Government includes both land settlement and wherever settlement is not possible the assigned land like ceiling surplus and wasteland would be distributed for homestead purpose. In addition to this, there is also Bhoodan land available for distribution among landless poor.

Later in 2006, the Central Government's Forest Rights Act also expanded the scope of forestland distribution for Adivasis and other forest dwellers. Very recently, the Union Ministry of Rural Development has issued an order to the States to purchase private land for prospective beneficiaries of the Indira Awas Yojana (IAY), up to an area of 100 to 250 sqm within a cost of Rs 20,000 to be shared by both State and Centre in a ratio of 50:50, if Government land is not available for settlement or distribution. The Union Ministry of Rural Development also issued directives to all States, including Odisha, to bring a legislation integrating several laws to avoid confusion exclusively to solve the homestead landless issues and recognising the



rights of landless people occupying Government land and to issue titles in the name of women.

The 12th Plan document of the Planning Commission of India strongly recommends continuing with this approach to ensure homestead land and housing for all landless poor. The National Rights to Homestead Land Bill-2013 is about to be tabled in the Parliament. However, in spite of all such legal provisions and programmes, the homestead land distribution process is very slow in Odisha.

The distribution process is very slow; even, the beneficiaries are waiting for years together to get the Patta. It is almost in all tehsils that numbers of landless families have only Patta and they have been waiting for demarcation of land since long. They often visit tehsil office but are harassed by revenue officials.

Though a Government order has been issued to provide ten decimals of land but in reality, almost all the beneficiaries have got only four decimals. A provision often decimals of land was considered because along with housing the beneficiaries could have backyard vegetable garden to improve their livelihood.

The tehsil offices are demanding court fee from the landless applicants applying for homestead land under Form 1 of the OGLS Act, 1962. The poor beneficiaries have to come to tehsil office which demands almost a day along with the fee. It is a burden on a beneficiary. The revenue officials are not proactive rather in dealing with the process of submission of application. They work in a very careless manner and are not willing to provide acknowledgement receipt to the applicants.

The Basundhara programme is limited to rural areas, but there are homestead landless urban poor in the NACs, Municipalities and Municipal Corporations who are leading a subhuman life in slums, urban outskirts and roadsides and also deserve a home to stay in a dignified way. But there has been almost no attempt in this regard.

In recent years, the State Government has been busy evicting people from their homestead land to set up SEZ, industry and mining. Thousands of hectares of land were leased out to private companies in the name of employment generation and development while the basic life and livelihood of the poor and historically marginalised people are being denied decades on.

The land once demarcated to distribute among poor are being handed over to companies. Land reform agenda has slowed down in the interests of private corporations using the power of the State as eminent domain.

It is now time to bring together the landless and the people having land to save land and also to pursue distribution of land. The homestead land is very much linked to compensation, and people being displaced without Record of Rights over homestead land are denied compensation and job in project areas. The homelessness has a lot of ramifications manifested in form of hunger death, poverty, discrimination, distress migration, child labour, the burden on women and violence in social life. A State like Odisha should seriously think about it because a majority of homestead-less rural and urban families is under the BPL category and belong to Dalit and Adivasi communities constituting about 40 percent of the State's total population.

Therefore, the importance of homestead land needs to be recognised by the Government, various political parties and organisations working for the poor. They all together should have a combined effort in ensuring land which would bring a change in the lives of lakhs of poor and pave the ways towards an inclusive development of a backward State.

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## SAFAI KARMACHARIS STILL DREAM FOR DIGNITY WITH HOMESTEAD LAND

The Clean India drive must include concern for Safai Karmacharis living with discrimination and deprivation in everyday life since generations and struggling to live a life of equality and dignity. In spite of Constitutional mandate, laws, programmes and dedicated institutions, their condition has not improved to the desired extent. The Safai Karmacharis in Odisha are at the lowest ladder of the Hindu caste order and discriminated both vertically and horizontally in social life along with resourcelessness. While they customarily clean the roads, colonies, drains and all public and private places, their minimum wage, working hours, protection from occupational health hazards, social security, land and housing are still a distance dream. A vast majority of them have no homestead land to securely construct a house and they have been staying over Government land since generations through the State and Central Governments have made provisions to ensure homestead land for every family as a matter of fundamental human right for every citizen. Many of the families living in distress have been struggling to get a piece of land, but it is unfortunate that our system of government and policymakers have paid scant attention to the issues of the Safai Karmachris, who are victims of historical injustice.

Choudwar emerged as an industrial township in early 1950s with Kalinga Tubes, Odisha Textiles, Kalinga Refectories, Titagarh Paper Mills and later on Libra Carpet, Indian Charge Chrome, UMSL, a pig iron factory and numbers of small factories as source of employment for many including the Safai Karmacharis who came from Andhra Pradesh and adjoining locality of Cuttack district. It is disappointing to note that the local industries are not doing any welfare work for the slums and colonies of Safai Karmachris as part of their corporate social responsibility (CSR) programme.

Kapaleswar Basti with 120 families and other hamlets in the Choudwar Municipality of Cuttack district are home to Safai Karmacharis living there since two generations. They are instrumental in maintaining cleanness, sanitation and health of the people of the locality including colonies, offices, schools, hospitals and nursing homes, but they are deprived of the basic amenities despite the

existence of Government offices like those of Block, Tehsil and Collector at short distances.

The Safai Karmacharis are found at Kapaleswar, Teluguhadisahi, Talabazarsahi and Wards 1, 3, 13, 17 and 35 of the Choudwar Municipality in segregated hamlets of temporary polyethene sheets, half-made thatched houses without proper living space for the families of five to seven members. There are no basic amenities such as drinking water, sanitary facility, drainage and electricity. Many eligible elder people are not enlisted for old age pension. Many families having BPL cards, job cards for MGNRGS are not availing their due entitlement despite repeated appeal to local authorities. Almost all families face the problem of availing caste certificates from tehsil office where land records are seen as a strong evidence for caste proof. This has serious implications on children's education and in accessing other entitlements.

All family members, adults, youths, women and children are engaged as Safai Karmacharis along with sanitary work. They also take up drum beating and other ordinary manual jobs to make a livelihood. The privatisation of sanitary work in the absence of regulation and trade unionisation encourage the monopoly of private contractors in fixing the wage and working hours. The Safai Karmacharis are deprived of social security and healthcare which they deserve for their most hazardous occupation under labour laws. They are also not provided cleaning devices and first-aid box for their safety while engaged in cleaning safety tanks which causes death for many of them.

As part of national commitment in line with the Constitution of India along with the National Commission for Scheduled Castes (NCSC), there is a special panel since 1993, the National Commission for Safai Karmacharis (NCSK), and the National Safai Karmachari Finance and Development Corporation (NSKFDC) since 1997 with a share capital of Rs 600 crore to look into the specific issues of scavenger communities. The NSKFDC has schemes for skill development, study loan and rehabilitation programmes for self-employment with a loan at lower rate of interest and subsidy. The Odisha SC and ST Development Finance Cooperative Corporation (OSFDC) is the nodal agency in the State for implementation of such programmes for the Safai Karmacharis. In States like Karnataka, there is also State commission for Safai Karmacharis under the provision of the State Act to ameliorate their condition. The various public sector corporations

like the Indian Oil Corporation, the Steel Authority of India and private corporates are also contributing out of their CSR funds to the NSKFDC for rehabilitation work.

The prohibition of employment as manual scavengers and their rehabilitation Act 2013 are in place to abolish manual scavenging as a correction of historical injustice and indignity and to establish a right to live with dignity as a fundamental right under the Constitution. There is a provision in Section 13(1) (c) of the Act for allocation of residential plots and financial assistance for construction of houses or a ready build house to Safai Karmacharis and sanitary workers.

As per the rule, there should be a State-level and district-level survey committees under the chairmanship of district Collectors with representatives of the community including women, but the Odisha Government has not yet implemented it.

Along with provision in the Odisha Government Land Settlement Act 1962, since last ten years, the Revenue Department has been implementing a scheme, Vasundhara, to ensure homestead land for BPL families having no homestead land in rural areas. The Union Ministry of Rural Development has made provisions under the Indira Awas Yojana (IAY) to provide homestead land to the prospective beneficiaries by purchasing private land if there is no Government land available. But many well-intended schemes are inaccessible due to bureaucratic hurdles for the Safai Karmacharis, who are mostly illiterate and unorganised in rural areas and their counterpart in urban areas also suffer even though there are similar provision under the Rajiv Awas Yojana (RAY) for urban poor including Safai Karmacharis, says Tapan Samal, an activist with the Ambedkar Lohia Bichar Manch, and Jugal Kishore Ranjit of the Dalit Adhikar Sangathan.

The Safai Karmachris at Kapaleswar have made their representation to the local Tehsildar and met the Municipality Executive Officer and the District Magistrate. For last three years, they have been running from pillar to post to get a piece of homestead land. The Kapaleswar homestead land issue was taken up by Sisir Tripathy of the Odisha Jami Adhikar Abhijan (OJAA) and Pratap Jena, president of Sradha, a local organisation, along with Prasant Mallick and Kamakshya Prasad Nayak of the Odisha Dalit Adhikar Manch (ODAM) with a petition to the NCSK and the National Commission for Scheduled Caste for

intervention. But it is unfortunate that the genuine rights of the poor citizens have been purposefully ignored. The local MLA and the Collector were requested by local people for intervention, but there was no result. The NCSK in a letter to the State's ST and SC Development Department and the NCSC have sought a factual report, but though three years have passed the poor people have still been visiting Government offices at regular intervals with the hope of getting homestead land.

The Choudwar Municipality is on the verge of expanding its jurisdiction by including the periphery areas and evicting the so-called unauthorised slums like Kapaleswar Basti. The people in the hamlets are under a regular threat of eviction without a viable alternative to stay, says Prakash Gochhayat, a leading youth of Kapaleswar. How long the man-made systems will continue to deny people their basic human rights while their services are shamelessly used by the society!

*(Published on Saturday, 11<sup>th</sup> October 2014 | The Pioneer, Bhubaneswar)*

## FAIR LAND DISTRIBUTION NEEDED FOR INTEGRATED FARMING

Land is one of the most important productive assets, which provides identity, social security, food sufficiency and employment to all rural household. Agriculture has been creating opportunities for fullest utilisation of manpower and natural resources available in rural villages to mitigate poverty, distress migration and raise production which needs to be improved further. Land distribution is required to boost production, democratise ownership and access and by that ensure economic justice to the poor.

Landholding patterns are recognised as one of the important determinants of agriculture production. The skewed distribution of agricultural land in the State is affecting production. Agricultural land is required for those who are still depending on cultivation which includes bonded labourers, agricultural labourers, and sharecroppers.

The State Government has identified 50,000 bonded labourers out of which half of them are from undivided KBK districts. As per the Revenue Department sources, in 2006 about 4,45,450 agricultural landless families were identified in the State out of which 1, 25,494 were SCs and 1, 42,359 were STs. There has been no data about sharecroppers of the State. However, sharecroppers are deprived of getting formal credit, compensation and benefits of Government schemes in the absence of entitlement.

It is an established fact that absentee landlord presence is a problem for agriculture which affects production. It is very often reported in media that a large number of influential people have grabbed Government land and manipulated revenue record in their favour. The subsequent Government's policy and lack of political will has been affecting land distribution programme.

The land distribution programme, once the agenda of Left forces, are slowly losing visibility. The land distribution was opposed by kings and Jamindars in the early fifties and later by big farmers and now private corporate bodies. It is observed that the State Government has been providing huge area as lease to private companies and facilitating land lease for corporate farming and contract farming.

Half of the geographical areas of the State are 5th Scheduled areas where survey and settlement have not yet been completed.

The State Government's "Mo Jami and Mo Diha" scheme in 2007 is aimed to physically verify the actual possession of ceiling surplus land and waste land distributed among beneficiaries because many of the beneficiaries have only Patta without physical possession. Out of the total beneficiaries of the scheme, 2,84,564 were STs, 1,53,029 were SCs and 1,83,452 were others.

Similarly, Bhoodan Yagyna Samiti has distributed 5,79,984 acres out of the total land of 6,38,706 acres among 1,52,852 landless persons. The quantum of land distributed is very less. However, land distribution has been an incomplete agenda. Therefore, the agricultural land distribution should be fully reviewed by setting a commission. The land distribution programme needs to be changed in the context by broadening its scope and land size, considering integrated farming.

Odisha has the advantage of ten agro-climatic zones and abundant inland water having much scope for integrated farming. Strategies of land distribution often should be local specific considering the availability of land and the geo-climatic situation. The water clad and swamp areas in coastal blocks can be distributed for pisciculture, seacoast for betel vines, river beds water bodies and canal banks for seasonal vegetable cultivation, hilly and forest areas for fruit orchard and agroforestry, etc. The utilisation of waste land and reclamation of land for agriculture will positively contribute to boost production, employment and bring improvement in the environment.

The agricultural land settlement and distribution has been getting delayed. The farmers are facing problem in getting RoR of the land in possession since long. The 12th plan document of the Planning Commission has proposed to distribute surplus land to disadvantaged and women farmers. It suggested for a comprehensive assessment of all land available with the Government including ceiling surplus land, uncultivable wasteland and so on and its distribution in groups. The land can be registered in group's name or under very long-term lease arrangement. It is also proposed to have a loan-cum-grant scheme with 50 per cent as grant and 50 per cent as low interest loan to purchase land.



The States like Andhra Pradesh and Kerala have exhibited success in such initiatives. The Kudumbashree project in Kerala and AP Mahila Samatha Society have brought substantial uncultivated land under farming, revived agriculture and created employment. The group model can be replicated in pisciculture, fishery, poultry, and livestock and integrated with schemes like MGNREGA for land development. It is also proposed to have a public land bank at panchayat level by mobilising deposits of land from land owners and making land available for the landless farmers.

The State Government can learn from the experience of Kerala and Andhra Pradesh and creatively implement this programme in Odisha. There is enough scope to make a plan within budgetary provisions like Tribal Sub Plan (TSP) and Scheduled Caste Sub Plan (SCSP) to develop wasteland and purchase private land for distribution.

The Right to Fair Compensation, Resettlement, Rehabilitation and Transparency in Land Acquisition Act 2013 has provisions to give land to the displaced, in case of irrigation projects and also to acquire land for project affected people. The Revenue, Agriculture, ST and SC Development, Labour and Employment Department and institutions like NABARD and the National Waste Land Development Board should collectively work out strategies to integrate programmes of land distribution and integrated farming.

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## RIGHT TO COMMON LAND

It is known to everybody that they use public space more than private space. In villages, morning starts with the use of the public place for toilet, bath, playing, collecting firewood, grazing land, cremation ground, and socio-cultural activities etc. These common property resources are owned by Govt. but used by people. So people have user rights over it. The community cannot sell or purchase commons. It has been observed that many communities are deprived of using such commons because of lack of such space in their locality. The Govt. has not declared many habitations as revenue village so these habitations lack even basic minimum like linking road, cremation ground, water bodies, playground, grazing land etc. Odisha has 52,551 Revenue villages. The govt. has considered 4091 no of *Pada* villages for conversion to Revenue villages (Revenue Minister's statement 2009). Even the Govt. land under use of the communities are not being converted to CPR. Mostly it is found that Dalit hamlets are at the end of the villages or in segregated locations. Many hamlets are not connected to the main road of the village. In many villages, the common property resources have not yet been democratised in terms of its use across social groups. In many villages, we noticed that Dalits have no access to commons and in few villages they have limited access or restricted access due to the Caste System and practice of untouchability. It is often the dominant caste in a village that has almost monopolised their authority over commons. Dalit community habitations/hamlets are at the end of the village, invariably demarcating, segregated and alienated from the village proper. Many of the small habitation have not yet been a year marked the facilities of revenue villages inevitably exacerbated by the lack of basic physical infrastructure, like linking road, cremation ground, water bodies, playground and space for social and cultural activities. Whenever they aspire to access community land under the hegemonic control of caste-Hindus it results in caste conflicts and eventually to atrocities of grievous nature against Dalits. Dalit families in the forest area and forest fringe villages are in possession of the land for housing and cultivation for a livelihood since generations but are not allowed to avail *patta* under the Forest Rights Act (FRA) even thou legally, they came under the category of other Traditional Forest dwellers. Similarly, Dalits access to natural resources like forest and water bodies are increasingly being restricted by dominant class/caste and communities in the respective areas. The CPR are not shared equally

with all social group which leads to violence and conflict among local communities very often reported in media .

Dalit, Adivasi and fisherfolk, agricultural workers, forest dwellers, marginal farmers' livelihoods are mostly dependent on CPR like forest, river, canals, pasture where they are to collect food, necessary household articles, fodder and fair wood etc. but they have been deprived up all these due to a number of reasons. The dependence of people on livelihood has been dependent on nature but in the changing situation men and women have to sell their physical labour to survive as the use of common land has been restricted.

Mostly the CPR, waste land, forest, water bodies, pasture and temple land are being given to private companies in the name of Govt. land in mining and industrial areas and seacoast, urban areas of the state. The private companies are using the CPR without respecting the need of the local community. The privatisation of Govt. land in the name of development projects, where people are living for generations are denied rights of the people to live. It is a violation of the right to live with dignity.

It is suggested that the Govt. should adequately allocate common land for use of common people and restrictions should be imposed on grabbing of common land. The people in rural villages are in need of more common land as livelihood so the poor and landless should be given their due share for building houses and communities should be provided with all necessary infrastructures to live a dignified life and enjoy all the socio-economic and socio-cultural rights as a human being without any restriction or discrimination in any form.

## SORTING OUT SHARECROPPER ISSUES VITAL TO BOOST STATE AGRICULTURE

Agriculture sector contributes 18 per cent to the GDP of Odisha where still 60 percent of the population is living in rural area. In approximately 80 percent of the farmland which go for cultivation in the State, it is the sharecroppers who do the farming. Around 50 per cent of the people involved in agriculture are sharecroppers. The issues of sharecroppers are a matter of concern in the context of increasing agriculture production and equity in the development of the State.

Many of the sharecroppers are also agricultural workers and small and marginal farmers with holdings of less than one hectare. The sharecroppers are mostly Dalits and tribals and hence, represent the most backward class in the village who are being socio-economically integrated with farming as landless farmers and farm labourers. The sharecroppers are found almost in all districts. In the coastal districts, the Dalits and in the south-western district both Dalits and Adivasis have a large presence as sharecroppers. Mostly, the landlords and very few small land holders of disadvantaged groups, those who are unable to cultivate their land, have given their land to sharecroppers for cultivation on basis verbal agreement. In rural Odisha with a feudal socio-cultural system still in vogue, the landowners enjoy unequal power equations against sharecroppers who are vulnerable in every respect. The sharecroppers take all the risk in the entire activities of farming; put in their labour and investment, but get only half of the production and in many places even less than that.

The increasing cost of fertiliser, agro appliances, seeds and high risk of crop loss due to a number of reasons, including natural calamities and absence of insurance and subsidy of Government due to legal compulsions, have been pushing sharecroppers to a distress situation. Many of the farmers commit suicide and undergo hunger death and migration.

Land ownership in the State shows an unequal distribution of land holdings and marginalised groups such as Dalits have almost negligible share in the land ownership. NSSO survey shows that 70 percent of the land is owned by 25 per cent households and 30 percent of the land is owned by 75 per cent households. 70 per cent of the SC

households are under the category of landless or persons with less than one acre of land. The uneven land ownership, along with a large presence of absentee landlords, non-implementation of land reform policy, especially land distribution programme and lack of employment in manufacturing and industrial sector, force landless and marginal farmers to depend on sharecropping.

The 12th five-year plan document says that in States like Punjab and Haryana, large and medium farmers take a lease from small landowners, but the reverse happens in Odisha where mostly the small farmers do sharecropping in the land of the large farmers.

A large majority of absentee landlords are from the upper class and caste, who are educated and mostly employed in the non-farming sector in cities. They lease out their land to traditional poor in the village without any fear of losing it. They have no interest in agriculture but own huge agricultural land in villages and prefer to lease out their land rather than selling it.

The sharecroppers in Odisha have a number of problems. They do not prefer to go for long term investment in land development, land levelling, fencing, building irrigation structure, because of insecurity of eviction at any point of time by the landowner. The most important concerns are credit for cultivation from bank and cooperatives, agriculture subsidy to purchase appliances, seed, fertiliser, compensation and relief by the Government during a disaster, flood, cyclone, drought and crop loss due to low-quality seed and insects and sale of paddy to the FCI.

The State Government data shows Rs 8,520 crore worth agricultural credit was advanced to farmers owning land by commercial banks and cooperative banks of the State and Rs 120 crore given as subsidies for the purchase of agricultural equipment in 2011-12.

This benefit is not available to the sharecroppers in the absence of any valid documentation as proof of a farmer. Another issue of concern is sharing of production with the landlord which is very informally decided by the landlord and it is highly exploitative, as, in many parts of the State, the land owner gets about 50 percent without investment.

During freedom struggle and in the post independent era, the issues of sharecroppers had been a matter of concern. The farmer movements

have raised the issue of abolition of Zamindari and tenant rights over land, but the question of sharecroppers has remained unattended.

The land reform committee headed by Nabakrushna Choudhury, the then Revenue Minister, in the year 1946 recommended administrative and legislative measures including protection of sharecroppers. As an outcome, The Odisha Tenants Protection Act, 1948 came into force which remained valid till 1955 and then the Odisha Tenant's Relief Act, 1955 and later became Odisha Land Reforms Amendment Act 1960, and Rules 1965 with provisions of security against eviction, payment of rent to the land owner to be limited to one-fourth of the value of produce and no collection of any other rent from the tenant by the landlord.

In Odisha, leasing is prohibited except in the case of privileged Raiyats, defence personnel, small holders and persons suffering from specified disabilities. Privileged Raiyats are co-operative societies, Lord Jagannath, public trusts and public financial institutions. The small holders are those owning less than three standard acres of land.

Tamil Nadu has a law which says that every tenancy agreement must be in writing and shall be executed in triplicate. The document should show the details of the land and the terms of the tenancy. A copy of the agreement is required to be deposited in the Taluk office. It is left to the parties to decide the duration of the tenancy.

In West Bengal, there is a presumption in law that a person lawfully cultivating the land of another person is a 'bargadar' in respect of such land. The 'barga' right is heritable and can be terminated only on certain specified grounds.

The new National Agricultural Policy and 12th five-year plan documents emphasise on reforming tenancy laws to allow all sections to appropriately participate in the lease market and promote capital investment in agriculture allowing private investment for farming and agri-business.

It has come up with proposals of public land banks at panchayat level and group farming by disadvantaged farmers such as Dalits, Adivasis, women and other landless poor by facilitating land purchase along with the distribution of surplus land along with lease.

This will enforce a formal lease system and change the informal practice of sharecropping in villages without changing the condition of sharecroppers. However, it is argued that this will facilitate privatisation process which will be more beneficial to landowners and large leaseholders going for capital investment in agriculture.

Many landless Dalit and Adivasi peasant organisations have raised this issue before the Government for a number of times and this has been debated in recent time during flood and Phailin. The revenue department came up with promises to protect the interest of sharecroppers and go for enactments in line with provisions in AP, Tamil Nadu and West Bengal but nothing has been done so far.

The sharecroppers are suffering as before which have been affecting the agriculture production, rural employment and State economy. The Government has failed in resolving the issues in the absence political will and administrative accountability in favour of the sharecroppers.

While the State Government has been giving thrust to increase in production of agriculture, but the people engaged in production remain unattended.

The Government has to work out a strategy to improve the socio-economic condition of people in agriculture and enact a law to formalise sharecropping balancing the interest of the landowners and the sharecroppers.

The village committee or panchayat should have the power to make formal arrangements for minimum one year to maximum five years of agreement between both the parties involving revenue and agriculture officials at the village level. The sharecropper should get a higher share of production and must have all the benefits provided to a cultivator by the Government.

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## STATE'S PRIME ECONOMIC AGENDA SHOULD BE FARMERS' WELFARE

The agriculture sector of Odisha remains backward in comparison to other States. Though the production of food grains has increased over the years, but the yielding rate is low. It is lower than the average yielding rate of major States in the country.

With the rise in cropping intensity, the land available for cultivation has been decreasing due to a number of factors. The irrigated areas under principal crops are less than national average i.e. 45.32 per cent whereas it is 98 per cent in Punjab. The State Agriculture Policy-2013 report claims that farm mechanisation has increased with the large use of the tractor, power tiller, diesel pump sets and other agricultural equipment. The agriculture loan has also increased in the State by the cooperative and commercial banks as it was Rs10,454.15 crore in 2012-2013 and Rs 8,519.67crore in 2011-12. Though fertiliser and pesticide consumption has increased in the State but it is less than the national average of 145kg per hectare (ha). The consumption of fertiliser is very high in districts like Bargarh, Nabarangpur and Sambalpur.

In spite of all these improvements in the agriculture sector of the State, the condition of farmers has not improved. The changing contexts of the State economy, with industrialisation, privatisation of agriculture, corporate investment and large impact of climate change, have been directly hitting the farming community. The development of agriculture should integrate the development of farmers without which the overall economic growth with food security is not possible. It is being observed that the State Government policy propels more on production growth without a fair attention to the farmers while farmer suicide and distress migration remain unaddressed.

The National Policy for Framers- 2007 approved by the Government of India defines farmer as a person actively engaged in the economic or livelihood activities of growing crops and producing other primary agricultural commodities which include all agricultural operation holders, cultivators, agricultural labourers, sharecroppers, tenants, poultry and livestock rearers, fishers, beekeepers, gardeners, pastoralists, planting labourers, persons engaged in various farming-



related occupations such as sericulture, agro farming, tribals in shifting cultivation and forest produce collectors.

The State Agriculture Policy-2013 says that about 70 percent of the population of the State depends on agriculture and it is being dominated by small and marginal farmers who constitute about 85 percent of the farming community with an average size of land holding of 1.25ha. The agricultural census data for 2005-2006 for the operational holding of different social groups shows SC and ST farmers have very minimal land holding and the land holding status has not been changed much. As per Census 2011, the State has 41.04 lakh cultivators and 67.40 lakh agricultural workers and it constitutes about 62 per cent of total workers of the State who are engaged in agriculture. The district of Baleswar has the highest number of cultivators and Mayurbhanj has the highest number of agricultural workers.

It is a fact that the producing farming communities in the State belong to socially and educationally backward classes, Adivasis and Dalits, who are historically deprived of education and land. They are also socially divided and politically unorganised. They remain victims of the State policy and very insignificantly impact over policy decisions of the State.

The National Crime Record Bureau (NCRB) data says farmer's suicide accounts for 11.2 per cent of all suicide in India. Many farmers' organisations claim that about 4,000 farmers killed themselves during last ten years in the State. In 2011, the then Agriculture Minister reported in Assembly that 2,639 farmers killed themselves in the past ten years. Though the figures and reasons of suicide are controversial but it is an established fact that farmers are committing suicide in the State non-stop.

The issue of farmer suicide has been a matter of debate in the State and political parties have expressed their concern over it in many ways. The districts where farmer suicide is endemic are Baragarh, Sambalpur, Jharsuguda, Balangir, Nuapada, Gajapati, Keonjhar, Nayagarah and Baleswar. It is further revealed that mostly the farmers belong to socially marginalised communities and a large majority of them are illiterate, asset-less, small and marginal farmers. They live with the basic minimum for life and agriculture is the only source of their livelihood. The per capita income in the agriculture sector is less

than the non-farm sector. The people in the agriculture sector are mostly self-employed and very less paid as the farm labourers are identified as unskilled workers who get the minimum wage only. The reason for suicide reveals the vulnerability of small and marginal farmers, sharecroppers, agricultural workers, cultivating land on lease, and mostly depending on monsoon for irrigation. They are often found in debt bondage. They borrow money for taking up a new crop from local money lenders, banks, cooperatives, microcredit organisations at as high as 25 percent of the rate of interest. And when the crop fails due to erratic monsoon or any other reasons, they fail to repay the debt and finally end up in committing suicide.

It has been observed that the cost of agricultural inputs such as seed, fertiliser, pesticide and agro appliances has been consistently increasing. They are becoming increasingly inaccessible to small and marginal farmers who cannot afford to meet the expenses without a loan facility. The huge subsidy by State in agriculture appliance, fertiliser and credit facilities are mostly benefiting the rich farmers and therefore, the State's policy for farmers has not protected the interest of the disadvantaged small and marginal farmers in the State. Odisha is a high natural calamity prone zone and the routine visit of flood, drought, and cyclone always affect the poor farmers who are not being adequately compensated for the loss. Insurance for crop, health and life of farmers is virtually negligible. They are often prone to health hazards and diseases without a scope of treatment.

The Biju Krusak Kalyana Yojana by the State Government along with insurance companies, Reliance General insurance, National insurance, The New India assurance, IFFCO–Tokio general insurance for farmers have not covered all farmers of the State. The structured presence of economically powerful and socially influential local middlemen backed by political patronage and bureaucratic nexus is a matter of concern to ensure implementation of Government programmes as they have control over all the cooperatives and they tend to influence the local bank and Government officials to favour the farmers of their choice and make use of bribe in dealing with subsidy of farmers.

The national policy for farmers speaks up asset reform by ensuring land, water, livestock, fishpond, homestead farm and energy need for farmers along with credit, insurance, social security, pension and skill development which need to be implemented by State but the

integration of different schemes for farmers' economic well-being and social development has not been made as the State investment in agriculture sector including farmers has been very minimal in terms of developing agricultural infrastructure such as irrigation facilities, supply of electricity and cold storage for agro products, marketing infrastructure along with investment on insurance and social security for farmers.

The overall change in the condition of the farmers will bring a major change in the economy as they constitute a large portion of the productive forces of the State.

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## ENSURE LIVELIHOOD RIGHTS FOR STATE'S FISHING COMMUNITY

Odisha has bounty of nature with sea coast, lake, river and water reservoir of fresh, brackish and marine water which has been a sustainable source of livelihood for water based communities including fisher folk, fish workers and people engaged in allied activities since generations.

Fishing has been a long tradition providing employment, income and food security. It's estimated that a population of about 12 lakh, including 9 lakh in inland and 3.33 lakh in the marine sector, depends on fishing for livelihood. The inland fishermen population is highest in Chilika followed by Ganjam, Khurda, Cuttack, Kendrapada, Jajpur and Puri. The marine fishermen population is highest in Baleswar, followed by Bhadrak, Jagatsinghpur, Kendrapada, Puri and Ganjam. The fishing population is located in 3,878 villages all over the State out of which 641 are marine and 3,237 are inland villages. The literacy rate of fisher folk is 48.15 percent and most of the fishing villages lack basic infrastructures like communicating road, electricity, drinking water, health, sanitary facility, school and housing.

The fishery sector contributes about 3 per cent to the GSDP and has potentialities of growth to generate employment and food security.

During the year 2010-11, Odisha's fish production was 382.50 thousand MT. In the year 2012-13, about 22,000 MT of fish worth Rs 793 crore was exported to foreign countries and at the same time about 60,000 MT of fresh water fish worth Rs 890 crore was imported from neighbouring States.

The fish production during last five years has substantially increased in neighbouring States like AP, WB and Chhattisgarh whereas the production in Odisha increased very marginally. WB and AP have highest fish production in the country followed by Gujarat, Tamil Nadu and Maharashtra. Odisha ranks ninth position in the country in terms of fish production and the per capita consumption of fish has increased with average 10kg per year. The fishery development policy of the State and the prospective plan of the fisheries sector in Odisha for next ten years have emphasised to improve the production of fish through private sector investment, but equal importance has not been

attached to the communities in the sector considering the changing socio-economic and environmental context in the coming days. There has been no mention about the rights of traditional fishing communities.

The recent economic development in the State has affected the fishing community of the State which is a matter of concern for about three per cent of the total population of the State. There are 14 potential sites for development of minor ports in the coast. The ports in Gopalpur and Kirtania at Subarnarekha mouth in Baleswar, Dhamara and Chaudami in Bhadrak, and Astaranga in Puri have been developed through private companies like the Aditya Birla Group. There has been a discussion about coastal highway connecting Digha to Vizag. The 100 MoUs by the State with corporate houses for industries, nine small ports in Odisha coast, tourism industry, setting up power and polluting industries in coast and river banks and coastal conservation initiatives are going to impact the people which will be largely displacing coastal community including fisherfolk from their land and water based livelihood. The process will destroy habitations and pave the way for the loss of livelihood. The strict implementation of Odisha Maritime Fishing Regulation Act has restricted the access of fishing communities.

Fishing by use of traditional boat engaged the whole family including women and children in different roles. The people engaged in marine fishing in 480 km coast of Odisha have been already facing a number of issues in recent times due to natural disaster, climate change and capital investment in fishing by the corporate world such as fishing by vessels and trawlers. The production of marine fish has been decreasing due to pollution, natural disaster and change in ecosystems with vanishing mangrove forest. The issue of turtle breeding and low pressure has almost been preventing them enter into the sea for about more than six months which is affecting very much the livelihood of the communities depending on the coast for survival. The conservation actions have prevented the fishing community from doing fishing in national parks and sanctuaries in the coast. The Forest Rights Act, 2006 allows STs and other traditional forest dwellers for fishing right and use of water bodies in forest areas which is also applicable to fisher folks in mangrove forest area. The Wildlife Protection Act, 2006 protects the rights and occupational interest of the traditional fishing community.

The tourism development in port areas of Gopalpur, Puri, Satapada and Chilika lake has restricted the traditional fishing right of the local fishing community. Chilika lake is home to 2.5 lakh fisherfolk. The illegal prawn farming by outsiders has created a negative impact on the local fishing community.

The people engaged in small scale and traditional fishing are facing the problem of pollution in mining and industrial belt where the river and other traditional water sources are found increasingly polluted.

This has been evident with traditional fishing community living on the bank of rivers like Brahmani, Mahanadi and Baitarani having lost their livelihood. The other problems faced by them are indebtedness and distress sale of fish by the local traders in the absence of a supporting price system by the State. The water bodies such as ponds, canals, lakes, wetlands and reservoirs are being restricted to them for fishing. These people are also being debarred from participation in managing these water bodies. The power of planning and management of minor water bodies in the scheduled areas is vested with the panchayats. Similarly, the panchayats in the non-scheduled area should allow traditional fisher folk to have rights over water bodies for livelihood purpose where ever they have a presence but there has been non-existence of such a provision.

The right to fish and manage the fisheries in inland public water bodies should be given to traditional inland fishing communities for their livelihood as a majority of them are still engaged in fishing for survival. They should be encouraged with fishing based value added activities in their own locality through skill up gradation and capital support. The fishermen/women cooperatives are the best models proved successful in Kudumbashree of Kerala. Kerala has also introduced biometric identity card for fishermen including the traditional fishing community.

Odisha has 2.56 lakh hectares of reservoir where the State reservoir fishery policy encourages leasing out for fishing to primary fishermen cooperatives of locally displaced families and use of advanced technologies for the purpose. This needs to be implemented by the State. The Government has set up fish farmers' development agencies in each district to develop fish pond and trained fish farmers for inland fishing development which should give priority to traditional

fish workers but many of the policies of have not reached to the people in the fishing sector.

As a majority of the fishermen are landless they should be provided land for housing and right over common property resources and supported with credit to their fisheries cooperatives along with infrastructure development in the locality for fish trading Along with education and skill development, the local youths of the fishing communities need to be encouraged for tourism. While recognising the rights of traditional fishing communities, steps should be taken in the light of recommendation given by a committee on fisheries of the Food and Agricultural Organization of the United Nations (FAO). The guidelines of work in the fishing convention of ILO 2007 should be adopted to improve the living and working condition of the fish workers.

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## STATE TRIBALS YET TO FULLY ENJOY RIGHTS OVER LAND

The Draft National Land Reform Policy 2013 says 60 percent of the country's population has right over only five per cent of countries land whereas ten percent of the population has control over 55 per cent of the land.

Land as resources, need to be democratised and must be available to all .The historically marginalised communities such as the tribals should have rights over land. The tribal land issues are very different for historical reasons and further complicated by State intervention in a number of ways.

The Constituent Assembly of India had very extensively debated over the issue and the ideas of the fifth and six scheduled areas came into being. The post-independent India has witnessed non implementation of land laws in favour of the tribals and violation of laws by the State in spite of protecting them.

There has been also a lack of concern over land issues of Constitutional bodies like Ministry of Tribal Affairs, the State SC/ST development department, the Tribal Advisory Council and the National Commission for Scheduled Tribe.

Land being important to tribal identity, livelihood and development should be in the core agenda of development in States like Odisha where scheduled area and scheduled tribe have a large presence. The historical injustice done to the tribals and the continued violence in tribal areas centring on land need should be looked into and the wrong should be sorted out.

The ongoing development model pursued by the State demands land for mining, industry, urbanisation and other infrastructural development in scheduled areas and on the other side, increasing landlessness and eviction from homeland has been depriving the tribals of their basic human rights, including the right to live with dignity.

The revenue department data shows about 80 percent of tribal families in scheduled area are under the category of landlessness possessing below one standard acre. The district like Maurbhanj,



Kandhamal, Gajapati and Keonjhar are heading the list. The last fifty years of mining, industry, dams and other projects in scheduled areas have evicted a major chunk of tribal population from their land and land-based livelihood.

Article 224(1) of the Constitution of India speaks about provisions as to the administration and control of scheduled area and scheduled tribes. There are nine States in India, including Odisha where 5th scheduled area is found. The scheduled area of the State is almost half of the total geography of the State and home to about one-third of the total population of the State.

It has been observed that the tribal population in scheduled area has been decreasing and the non-tribal population has been increasing with tribal migration to non-scheduled areas of the State. There are also tribal groups like Jhodia who are not officially recognised as tribal of the State in spite of their repeated demand for tribal status.

The management and ownership of land in the sixth scheduled area is vested with the autonomous district council whereas in 5th scheduled area land issues are still being under the management of revenue and forest department. The PESA Act 1996 section 4(m) iii empowers the community to protect land resources and habitations and section 4(d) recognises Gram Sabha to safeguard community resources and the right to the land. The SC and ST Prevention of Atrocities Act 1989 has provisions of punishment against land grabbers.

As per the Constitutional provision, the Governor of a State having scheduled area and Tribal Advisory Council have a major role in a matter relating to governance, including land. Odisha has a 16-member Tribal Advisory Council headed by the Chief Minister and Minister of SC and ST Development department as deputy chairman.

The members belong to State Assembly representing different political parties. Article 164 says there shall be a Minister in charge of tribal welfare in States of Bihar, Madhya Pradesh and Odisha. As per Article 338A, there is National Commission for Scheduled Tribe (NCST) headed by a chairperson who is in the rank of a Union Cabinet Minister. The NCST has the power to review the implementation of all measures for scheduled tribes including land.

The famous Samta Judgment of 1997 by the Supreme Court of India also holds the high the spirit of the Constitution and imposes

restrictions on State in acquiring land of the tribals in the scheduled areas.

Odisha has provisions like The Orissa Scheduled Area Transfer of Immovable Property (by scheduled tribe regulation 1956. It protects the tribals from land alienation. Section 3(iii) of the regulation says a member of a scheduled tribe shall not transfer any land if the total extent of his land remaining after the transfer will be reduced to less than two acres in case of irrigated land or five acres in case of non-irrigated land.

The regulation also provides for penal action in respect of illegal transfer as well as unauthorised possession. It is reported that till 2011 out 35,000 illegal transfer cases involving land area of 32824.77 acres only 28,000 cases have been disposed of. The Orissa Land Reforms Act 1960 provisions of section 22, 23 and 23(A) says there is a need of prior permission of the competent authority for transfer of land and there is also provision for restoration of land.

The Odisha Government Land Settlement Act, 1962, provides for the settlement of land with SCs and STs to the extent of 70 per cent of the State land eligible for settlement. The Odisha Prevention of Land Encroachment Act, 1972 provides for regularisation of encroached land up to one standard acre with cultivators.

It is reported that since inception till December 2011 land to the extent of 13183.432 acres has been restored back in favour of 14,084 ST families. This shows the volume of illegal transfer of land in spite of the law. This has been happening due to the corrupt revenue officials who are not following any law relating to tribal land.

They are also issuing fake tribe certificates to the non-tribals which has been a major issue in the State. Though late, the ST and Other Traditional Forest Dwellers Recognition of Forest Rights Act, 2006 has made provisions recognising both individual and community right over forest land. It is unfortunate that the in spite of the Constitutional provisions, State laws and several bodies, the matter of land has never been taken seriously. Along with protection of tribal from land alienation, land distribution through recognising tribal rights over land is equally important. It should be further linked to land development.

The scheduled areas should have survey and settlement and formal *patta* should be issued to the families in possession of the private land since generations.

The community rights over common property resources recognising traditional boundaries of the village should be recorded. The forest and revenue boundary dispute reconciliation and settlement should be solved. The State land revenue laws should be amended in line with PESA and FRA to empower Gram Sabha to deal with land rights.

The Government should also make provisions to save the interest of the tribals in the non-scheduled area. The advisory given by the Ministry of Rural Development and the Ministry of Tribal Affairs should be followed by the State in letter and spirit.

The available ceiling surplus land, *Bhoodan* land, wasteland and forest land should be given to the tribals in the scheduled area.

The Government should take steps for land development of STs by using schemes like watershed development, MGNREGA, NABARD and other such programmes for rural and tribal development. The status report on the implementation of FRA revealed that 3, 28,008 individual forest right titles have been distributed out of which 1, 96,784 title holders are linked with housing, land development and livelihood schemes.

The data need to be monitored and verified by tribal organisations and others engaged in FRA implementation in the State to ensure transparency.

The National Land Reform Policy, 2013 says that the State should have a land rights commission to review the land issues and the progress made in the realisation of land rights on an annual basis and report to the Assembly for discussion. The commission can also advise the State on all land rights, land reforms and associated policy issues.

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## FOREST GROWTH POSSIBLE WHEN LOCALS GET OWNERSHIP RIGHTS

Odisha has forest area of 58.136 sqkm which is about 37 percent of the total geographical area of the State. The forest has been a source of livelihood of people living in forest area, forest fringe villages, especially for minor forest produce (MFP)/ Non-Timber Forest Produce (NTFP) collectors, and people engaged in primary processing, binding, storing and other forest-based works. These people depend on the forest for almost more than half a year for income and employment. A large majority of them are poor Adivasis and women.

Kendu leaf (KL), one of the important MFPs, has engaged about eight lakh pluckers in 7,482 collection centres covering 23 districts of the State. Odisha has lots of potentialities to improve the forest resources and forest-based activities for generation of income and employment for the forest dwellers. Forest sub-sector alone contributes more than 10 percent of the agriculture sector to SGDP. The revenue collection from forest products by the Odisha Forest Development Corporation (OFDC) was about Rs 500 crore in 2011-2012.

Kendu leaves alone generate about 80 percent of the total revenue. The forest department activities include timber, kendu leaf, bamboo, and MFP trade, apart from the plantation and forest safety. Forest products have been in demand in both domestic as well as in international markets. The Kendu leaves are exported to Sri Lanka, Pakistan, Bangladesh and other Asian and African countries. There are 9,500 licenced herbal industries in the country with increasing demand for herbal medicines. WHO says about 80 percent of the population in South Asia depend on plant-based medicine for health. India is a major exporter of lac in the international market. There are a number of forest-based industries such as paper mills in the State that are run with NTFP like bamboo and there has been growing interest for capital investment in NTFP sector.

The recent trend shows the State is facing challenges due huge deforestation as a result of mining, industry and other projects in forest areas. The Forest Department sources say 390 projects are approved under Forest Conservation Act, 1980 till 2012 which diverted 40,101 hectares (ha) of forest land and another 424 projects

are in the pipeline for approval. On the other side, there has been huge displacements and increasing poverty among forest-dependent communities due to loss of livelihood. There is a need to develop forest integrating the income and employment demand of forest-based communities where NTFP can be tapped as a potential source. It has been experienced that a large majority of forest-based communities are illiterate and not yet tapped the resources like NTFP because of historical injustice meted out to them in denying rights and ownership over forest clubbed with the exploitation of unscrupulous traders in the locality in the absence of a strong State protective mechanism. The anti-people forest policy and colonial legacy in forest administration with the feudal mind-set of forest officials further marginalised people in post independent era.

The Rehabilitation and Resettlement Policy 2006 of the State Government has not identified NTFP collectors as one of the affected category for compensation in case of displacement, but it is recognised in recent Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act 2013 where there is a need for amendment in State R & R policy. The provision of compensatory afforestation and generation of new forest in abundant mining areas and wasteland are really not compensating the forest dwellers livelihood.

The continued rights-based people's movement in forest areas along with the impact of Left extremism has paved the way for rights consciousness among forest-dependent communities and forced the Government to recognise people's rights over the forest. This has been challenged further by market forces looking for capital investment in the forest sector. The State has to ensure judicious use of forest resources and the livelihood of people depend on forest while allowing market forces in the forestry sector.

Article 39 of the constitution of India says the citizen, men and women, equally have the right to an adequate means of livelihood. The centre has brought a number of rights-based legislations for Adivasis in recent times which are not followed by the State.

MFP ownership has been a major controversy between the forest department and forest dwellers in scheduled areas after the enforcement of The Provisions of the Panchayats (Extension to Scheduled areas) Act 1996 (PESA) and STs and the other Traditional

Forest Dwellers (Recognition of Forest Rights) Act 2006(FRA). The forest areas are also fifth scheduled areas of the State which are 44 percent of the total geographical area and about 60 percent of the population belongs to Adivasi communities and 20 percent are Dalits.

As part of reparation against historical injustice done to Adivasis through enforcement of FRA Act in true spirit, the Union Ministry of Tribal Affairs has a plan for supporting marketing of 12 MFPs in States having fifth schedule area through minimum support price and development of value chain for MFP as a measure of social safety for MFP collectors with TRIFED as nodal agency. There is a plan to develop the local markets with a storage facility, drinking water, shade and platforms to help the collectors sell their NTFP. In a letter by Ministry addressed to the State Chief Secretaries, the States have been requested to play a facilitating role in transferring unhindered absolute right over NTFP to STs and other traditional forest dwellers and getting them a remunerative price for the NTFP collected and processed by them. The letter says that forest right holders or their cooperatives should be allowed with full freedom to sell such NTFP to anyone or to undertake individual or collective processing, value addition and marketing for livelihood within and outside forest area by using locally appropriate transport. The Ministry has planned to go for a multipurpose centre for training, primary processing, value addition, storage, and warehousing, cold storage relating to NTFP.

The forest dwellers in Odisha need protection from local market forces. The legal provisions relating to NTFP are contradictory and mostly depriving the locals of their rights to access natural resources for livelihood. The State Government has nationalised MFP like KL in 1973, bamboo in 1993, Sal seed in 1983, Mahua in 1991 contradicting the rights of the forest dwellers. There is no NTFP policy at national or State level.

NTFP is addressed in several policies, laws and Government orders. The Odisha Government has two agencies for NTFP procurement such as OFDC and TDCC which are functioning mechanically without concern for the livelihood of forest dwellers. The forest based industries in the State have been generating very marginal employment. The KL grants are distributed in all over the State while the workers engaged in plucking and other related activities are not getting their due share. The owners are made workers and their basic human rights are denied to them. The KL pluckers are facing health

problems like malaria and other occupational health hazards like snakes and poisonous insects bite.

Odisha has 9 percent of the country's total bamboo cover and tremendous potentialities to generate income for the forest dwellers.

The Government has assigned bamboo forest to paper industries that have been appointed contractors and sub-agents when the locals are prevented to collect bamboo for their livelihood and household consumption as even today thousands of families depend on bamboo craft for their livelihood. In Odisha, the movements of forest dwellers have raised this issue of MFP and are struggling hard for the implementation of PESA and FRA. A number of civil society organisations have demonstrated exemplary work relating to NTFP involving the locals in districts like Rayagada, Balangir and Kalahandi taking the issues of broomsticks and promoting sal leaf collection and Kusum/lac cultivation. International agencies support Odisha forest sector development project without integrating concern for forest dwellers. The 12th five-year plan document and sub-group on NTFP has recommended for a holistic development of NTFP sector through conservation, development and management. But this can be possible with the active involvement of local forest dwellers by recognising their rights as owners and by creating infrastructural support and training to make them inclusive in the process of development with forest resources. The Government should implement PESA and FRA in true spirit and fall in line with the guidelines of the Centre.

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## DON'T ROB TRIBALS, DALITS OF ACCESS TO NATURAL RESOURCES

Land, water, forest, mineral and air are natural gifts and every human being has a natural right over these resources for a dignified life and livelihood but there are communities who have very limited access to these resources due to their economic status and many of them also face discrimination in access because of their social identity.

In Odisha, a large chunk of communities like fisherfolk, forest produce collectors, forest workers, tribals, primitive tribal groups and Dalits still depend on natural resources for livelihood in spite of mining, industrialisation and social sector development. The land, forest and water have been their sources of livelihood. It is estimated that they constitute about 60 percent of State's total workforce and contribute about one-fifth of the State's GSDP. Mostly, these communities are enlisted as SCs and STs who are more dependent on natural resources.

The SCs and STs constitute 85 percent of the poor population of the south and north Odisha. Both the Central and the State Governments have been trying to strengthen the livelihood of the SCs and STs through programmes like KBK, Biju KBK, Biju Kandhamal O Gajapati Yojana, Gopabandhu Gramina Yojana, BGRF, SCSP and TSP, but how far these programmes are integrating the communities with resources in terms of ensuring their access to land for housing and agriculture, forest, water and other resource utilisation for livelihood?

The recent trend in the State shows that there has been growing tendency in inviting private capital to extract the resources through inequitable lease system. The capital-intensive private enterprises have increasing access with the capacity to invest, use technology and credit to unlimited exploitation of resources. On the other hand, the State has been making very less effort in terms of State investment for utilisation of natural resources by local people who depend on it for their livelihood. The communities depending on natural resource base are slowly shifting to occupations of wage labour. It is affecting local production and food security. The trend leads to distress migration to the metropolis, urban slums and upcoming industrial corridors etc. The marginalised communities of coasts, forest and rural areas are landed in a sub-human condition in unhealthy locations even without



basic minimum facilities. Their open access to common property resources has come to an end. Post-90s experienced a growing international concern for vulnerable groups, in the context of poverty, climate change and ecosystem. The State economic policy does not reflect its concern for marginalised communities losing their resource base livelihood in spite of sporadic movements by communities against the resource marginalisation. Much of the private investment, armed with technology and international capital, in the State, have played a process of resource alienation of local communities. The State Government has been providing a number of welfare schemes to poor but not making any attempt to ensure access of marginalised groups to land, water, forest and other forms resources by making legal provisions to ensure ownership rights over its utilisation and management.

Historically it has been identity-based discrimination which denied owning resources and the post-Independence phase witnessed a large State apathy in formulating policy on democratising resources along with the lack of political and administrative will in the implementation of constitutional mandate and now it is burdened with resource privatisation in an economic globalisation phase.

Water is a free gift of nature. This is so important for human life that it cannot be compromised. But it is unfortunate that still there are communities who face discrimination while accessing drinking water in the village. They have to invest to access water for domestic and agriculture based livelihood. The drinking water sources created out of State treasury are under the hegemonic control of dominant castes in the villages even today. In a majority of villages in the rural area, access to safe drinking water is a struggle for Dalit women at tube wells, ponds, wells and water bodies. 89 per cent of the rural household depend on tube wells and wells for safe drinking water, whereas 8 per cent of total household have no access to safe drinking water and rest 3per cent have access to tap water in spite of schemes like Accelerated Rural Water Supply (ARWSS) and Swajaladhara schemes for providing safe drinking water in rural areas. There are areas where ground water is getting polluted due to arsenic, fluoride, iron, salinity and pollutant contents. These areas need a very special attention of the Government to ensure safe drinking water to the people.

As per Government sources, about 10.84 lakh people depend upon fisheries for their livelihood. The State has a coastline of 480km where 3.33 lakh families are depending on marine fisheries and mangrove forest. The export value of marine products to foreign countries was worth Rs 428 crore in 2009. The blackish water lagoon Chilika is spreading over an area of 79,000 hectares. But it is unfortunate that there are communities inhabiting in Chilika who are not being allowed to do fishing. It is told by the people there that 40 Dalit families of village Mahisaberhampur in Krushnaprasad block of Puri district in Chilika lake have no fishing right over there. In many parts of the State, the old issues of hegemonic control over resources based on identity and denying of sharing of resources with others in the same locality still continues unabated. Now the new challenges of huge private investment are coming in. The identity politics in these areas, in the absence of democratic political process and inclusive resource policy are being used by vested interest groups to divide the people. The poor and politically unorganised communities in many places are fighting among themselves to get access to the deployable resources but not unitedly fighting for people's access to resources. The water bodies in rural villages given on lease for fishing where Dalit communities always struggle to have a fair share over it. The most important challenge faced by the fishing communities now is the process of privatisation of water and the fishing job.

The mining and industries are not only extracting huge water and minerals but also polluting water sources, land and air by emission. In the mining and industrial areas of the State like Talcher, Jharsuguda, Koida, Sukinda, Joda and Badbil, water scarcity is a major issue. The ground water level has gone down along with surface water pollution affecting domestic consumption and agriculture.

The State policy is more industry tilted in providing water to industries while at the same time, the State invests very less to provide irrigation facilities to farmers struggling with drought. The irrigation intensity in the State was only 31per cent which is very less than the national average of 44 percent. The canal systems, minor irrigation and lift irrigation has almost become defunct. The sponge iron factories requiring huge water are being mindlessly encouraged by the State in the name of industrialisation. All the major rivers Mahanadi, Brahmani, Baitarani, Rusikulya and Budhabalang are being linked to major mineral based industries of the State. The reservoirs, Hirakud, Rengali, upper Indrabati and upper Colab are being used for

industries. Not only thousands of fishing community but also farmers and other communities living on the river bank and delta are in danger.

The 58,136 sqkm forest resources have been a major source of livelihood for Adivasi, especially PTG and other forest dwellers. The minor forest produce collection, its processing and marketing has not been improved in the State. The plight of Kendu leaf collectors and bamboo workers need a very special attention as Odisha is the third largest producer of Kendu leaf next to MP and Chhattisgarh. The destruction of forest for mining, industry, dams and infrastructure project has seriously affected the people with decreasing forest coverage in the State.

Considering the reality of large presence of workers in unorganised sector and their dependency on natural resource base livelihood, the State economic policy should put the people in centre focusing their livelihood.

The production process should be labour intensive. The resource utilisation should involve more people. There should be value addition through upgrading the skill of rural workers engaged in forest, fishing, livestock and allied activities. There should be capital investment to upgrade skill of workers, utilisation and marketing but not at the cost of employment of local people and its environment and eco-system.

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## MINDLESS MINING: WHY DO ONLY POOR TRIBALS PAY A PRICE?

Odisha has 58 varieties of major and 22 varieties of minor minerals deposits. In 2011-12, the State stood second in terms of mineral production of the country. The mineral reserves include bauxite, iron ore, manganese, coal, chromite, limestone, graphite and tin, etc.

Mining activities in the State date back to 1948 when the first coal mining in Talcher block of Angul district was started. The mining activities have picked up since the 50s and with mechanisation in the 90s the sector has taken a giant leap.

The mining activities are administered by the Central Act, Mines and Minerals Regulation and Development Act, 1957. The Department of Steel and Mines source says between 1954 and 2004, there are 600 mines in the State having a lease area of 99 lakh hectares in 24 districts including Sundargarh, Keonjhar, Angul, Jharsuguda, Bolangir, Kalahandi, Koraput and Jajpur. Barring a few underground mines of coal and chromite, most of the mines are open cast which is a major reason of land degradation due to groundbreaking. The lease area officially displayed and the operational area have a huge difference because of illegal mining and the use of mining project periphery area for dumping, transportation and other related activities. The areas near the projects also getting affected due to land pollution by mining waste, dust and water pollution. It is also reported that due to mining, the ground water level in mining areas has gone down which has a huge negative impact over the land use of the area. It can be concluded that the actual land used for mining is much more than the official lease area. The land use by mining companies has been a matter of concern by Mines, Revenue, Forest Department, State Pollution Control Board and local community. The matter of illegal mines has well reflected in recent Shah Commission investigation on iron ore and manganese mines.

The mining leaseholders include the Central Government owned companies like MCL, Nalco, NTPC, SAIL, Indian Rare Earth Limited, State-owned companies like OMC, IDC and Nelchal Ispat Nigam Limited and a number of private mining companies of State, National and International giants like Tata, Birla, Vedanta, IMFA, Fecor and Hemco, etc. There are multinational corporations like Posco, Arcelor-

Mittal, RTZ, De Beers, who have been pledged to be allotted mines in their respective MoUs and many more are in the process to avail lease. Out of total lease area 99374.148 hectares, the public sector has 51361.23 hectares and the private sector has 48012.918 hectares. It shows the Government-owned companies are the major leaseholders of mines.

The mining lease area includes private areas, agricultural land, habitations and community owned common land and Government land including forest land, waste land and water bodies, etc. It is a well-established fact that mines mostly occupy more forest and agriculture land but a major part of the land which has not been recognised is claimed to be private due to non-execution of survey and settlement.

It is also found that the assigned land like Bhoodan, ceiling surplus and waste land which are once demarcated for distribution are also being occupied by mining companies through a lease.

Mining activities in different stages of mining like pre-mining, mining and post-mining have been affecting the land use rights of the locals through displacement, pollution and creating abandoned mining.

The whole process of mining leads to desertification of the area within the lifespan of mining. The experience from mining area shows mining has been creating problem of habitations and agricultural activities in a number of ways due to scarcity of land, hike in price, pollution, soil and water and air pollution, water crisis and displacement, rehabilitation and resettlement problems, loss of livelihood of agriculture and forest-based communities in the locality.

Out of total mines, 60 percent are in 5th Scheduled area and 40 percent of mines are located in non-scheduled areas of the State. Most of the mining areas are scheduled area and ex-Gadajata area having huge forest and ceiling surplus land and waste land, which are also not covered under survey and settlement. The areas are also home to Adivasis and Dalits and other farming communities who constitute about 90 percent of the population those are mostly illiterate and lack awareness about revenue laws and provisions. They have been denied due share in the participation of Governance due to historical reasons. A large number of Dalit and Adivasi households are found homestead less and not being getting their Record of Rights over the land they cultivate since generations. Mining has been making them landless

and depriving them of getting assigned land and Record of Rights. This has been a major challenge for these communities to get rightful compensation and resettle after being displaced.

The issues of social exclusion, caste-based discrimination and ethnic identity, religion are major problems in relocation and rehabilitation colonies which need special care and protection in rehabilitation and resettlement. The socio-economic condition of SCs and STs in mines areas needs to improve because of their historical marginalisation, illiteracy and resourcelessness. There are also primitive tribal groups who are still in sub-human condition and they need very special attention.

Mining areas are also now being considered as industrial hubs with the advantage of mineral availability, water and land. Most companies prefer to set up alumina, aluminium, steel and power plants to easily avail mineral, water and land.

The major mineral belts are in the deltas of Brahmani, Mahanadi, Baitarani, and Rusikulya. The power plants and aluminium plants need additional area for fly-ash disposal.

The additional requirement of land for mineral based industries in mines areas has been adding more problems to the local people already burdened with land issues. It is reported in places like Jharasuguda, Angul and Sundargarh that people once displaced by mining are again being displaced by mineral industries. CSR and periphery development funds are not used for the local community rather it has been spent for the welfare of the employee, Government officials and the people settled in the new mining township. It has been observed that the hospitals and educational institutions run by companies are limited to company employees only and that services are not extended to local people. Even funds are being spent outside the district in Bhubaneswar and Puri for other purposes. The original natives of the area are pushed to the outskirts and even missing once the project is set up. The Rehabilitation and

Periphery Development Advisory Committee (RPDAC) headed by RDC has no data about the periphery development and CSR programme funds and its utilisation. Though it has been told that the local people have share in employment but there is no institutional mechanism to monitor and ensure the mandate of the mining companies for the local people. Coal Bearing Area (Acquisition &

Development) Act, 1957 and Land Acquisition Act, 1894 administer land acquisition but the absence of an institutional mechanism to monitor post land acquisition verification process makes the laws toothless.

In the pre-mining stage, the thrust should be on land reform and land distribution. The Government should ensure survey and settlement and ensure a record of rights of all the natives in the locality and by that ensure the process of free and fair compensation because the compensation are mostly land based. The land settlement and distribution programme should be completed in all mines areas before mining lease to ensure homestead land and agricultural land to all landless families.

The Government can plan for large colonies, cities, habitations with all basic facilities. Cooperative farming should be encouraged by providing land in a particular patch to farmers by forming farmer society or company for integrated agricultural activities. They should be provided with all facilities like capital for land development, irrigation, crop insurance, and marketing of agro-products, seeds, fertiliser, pesticide, and agricultural appliances.

A Certain percentage of the profit out of mines, CSR and periphery development funds should be used for land reclamation and development by which land can be created for further use. The resource management should be decentralised with more power to State and local bodies.

There must be inter-departmental coordination and authority like Mines Area Development Board. The Government should have a highly technical committee to assess the land requirement of a mining company and after lease institutional mechanism needs to be set up to monitor the actual possession. Strong laws are required to punish the companies who are using land beyond their lease area. The local revenue authorities and Panchayati Raj Institutions should be empowered with adequate power to manage. The proposed 'Right to fair Compensation, Resettlement, Rehabilitation and Transparency in Land Acquisition Bill' by Central Government can be used as a legal instrument by incorporating all these concerns and the State Government's R & R policy and other land related laws like OLR Act, OGLS Act and OPLE Act need to be changed.

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# HUMAN SUFFERING WIDESPREAD IN STATE MINING BELT

The impact of mining on various aspects of people's life needs a social appraisal. We can measure the progress of the area in terms of improvement in the quality of life. The mining areas have the additional burden of the socio-economic and environmental problem. The suffering of the marginalised people in mining areas seldom features in the debate on mining which always gets pre-occupied with issues of corruption and royalty for the State.

Mining areas of north-west Odisha covering districts like Jajpur, Keonjhar, Maurabhanj and Sundargarh are worst affected. These four districts have contributed 25 per cent as district share to Gross State Domestic Product (GSDP) in 2012-2013. These areas have mineral deposits like 98 per cent of chromite, 33 per cent of iron ore, 40 percent manganese, and a substantial quantity of dolomite, limestone and other mineral deposits of the country. The area is home to a vast majority of the tribal population of about 30 lakh as per 2001 census which also includes primitive tribal groups like Juanga, Bhuyan and Mankidia. The people of the area have suffered feudal and colonial domination and exploitations in the recent past. The remnant of old structural issues linked with social and economic systems still exist in these areas in spite of the emergence of modern State and constitutional mechanism.

The whole of Sundargarh and Maurabhanj and upper part of Keonjhar are scheduled areas. Sundargarh and Keonjhar districts have the highest number of mines, 128 and 119, respectively since last fifty years. Many private companies like TATA have built their empire by exploiting the minerals of the region.

The State policy witnesses a more resource centric attitude without integrating the concerns of the indigenous people of the mineral regions. The extractive industries have been beneficial to mines owners, contractors, bureaucrats, and ruling party politicians who made unholy alliances and made mutually beneficial arrangements through a lease system. The educated and land owning class making use of lubricating jobs and allied activities while the very process left a vast majority of poor in a situation to struggle against all odds created out of the accumulation of extractive industries.



The displaced families, casual mining labour, people in huts (mining area slums), tribal, women and children are the marginalised sections whose issues are very less featured in our policy discourses and remain unaddressed. It is unfortunate that the basic minimum of life, like water, air and habitation is not available for them. Mining hutting (slums in mining areas) are home to mostly the Adivasis where water, sanitation and basic community infrastructure are not being ensured for a decent living.

Children in mining areas, child labour, children with disability, school dropouts, girl child, children in mining slums, Adivasi and Dalit children are the most vulnerable who are deprived of their rights. But these children need care, protection and development to grow. They face all kinds of inhuman exploitation by adults in the area and deprivation of child rights to food, shelter and education.

Mining contractors make use of child labour along with women as casual labourers in mining areas of Sukinda, Baula, Suakati, Bansapal, Joda, Barbil, and Koida in violation of The Mines Act 1952. The trade unions and labour officials in the area should make use of protective legislations for labour, especially for women and child labour. The mine slums should have day nursery facility, ICDS, Anganawadies, primary schools, SSA, NCLP schools for child labour, drinking water, food and health care facilities so that children of working women can have a safe and sound shelter in the daytime. Children without care and protection are prone to abuse by anti-social elements.

The mining operations have forced people for direct involuntary displacement and are slowly creating a situation where people have no other way but to leave the village. The displacement, loss of livelihood and ecological loss of the area has a direct impact on children. They face problem to attend school and always found them to cope with in difficult situations.

Women constitute about one-third of the total mining workers in these areas. Many of men and women are employed as casual workers under a contractor. The regular organised workers of public sector mining companies like OMC, SAIL and private companies like TISCO and IMFA have better facilities for their workers and the same facilities are not available to other casual workers for the same work whereas a majority of workers are working under the contractors. Most of the contractors do not have register to maintain a record of

the employees in spite of the dominance of progressive left trade unions among the mines workers.

Women are nowhere in trade union leadership. Women workers often get paltry wage compared to male counterpart and face all kinds of harassment at workplace. Trafficking of women and children in mining areas has been very often reported in media along with the issues of unwed mother. The health of women, children, mining workers and people in mining area is a matter of concern. There has been increasing number of TB, Asthma, respiratory diseases, water borne diseases, scavenges, skin diseases patients. Bronchitis, heart diseases, malaria, silicosis, west mines areas of Odisha have anaemia and highest child death rate in comparison to other parts of the State.

The growth rate of Juanga and Bhuyan population is not encouraging. The unhealthy environment in hurting, lack of safe drinking water, hard work, lack of staple diet and lack of health awareness and healthcare facilities leads to lower life expectancy. Liquor is being encouraged in the community without restriction. It has an adverse bearing on health, family life, economy, work culture and cultural life of the local people.

The local people and mining workers have very limited safety and security at the workplace because of accidents in mines and roads, crime, diseases, and mafia rule which are also affecting the very normal life of people. Dust and sound pollution due to huge transportation have also an impact on the health of the locals where villages exposed to mining are more prone to environmental problems.

The communication facilities in these areas are mostly for mineral transportation, but not to meet the communication of local people. The ecology and environment has been rapidly degrading due to loss of forest, soil, and water and air pollution. The flora and fauna of these areas are almost vanishing day by day without any control over it. The perennial water sources are getting dried up and soil pollution is very high.

The people in the locality and habitations around mining are losing their forest and agriculture based livelihood. There is no grazing land for livestock population, forest produce collection has gone down and agriculture has become stand still. In this situation, many of the families are migrating here and there in search of employment. This

has very serious implication on women, children and elderly people in the family.

There are laws for the protection children, women, mining workers and displaced families and to control water and air pollution, such as The Water (prevention and control of pollution) Act 1974 and The Air (prevention and control of pollution) Act 1981 and the Environment Protection Act 1986. There have been a number of programmes running in mining areas by the Government, private mining companies, public sector companies and others which are not being integrated to miseries of the people in the absence of monitoring mechanism as well as the politically conscious organisation of mining affected communities to take up the issues at a different level. International agencies financing mining projects and raising human rights, ecology and environmental concerns have no proactive role to intervene in human sufferings in mines areas in spite of huge media attention on issues of mines.

There is a need of grassroots data on human suffering in mining areas along with the implementation of human rights and protective laws and programmes. The residents in the mining areas should come up as informed citizens rather than beneficiaries of any charity industry or State. People's mobilisation for their rights can pave the way towards a system accountable to people and in establishing the rule of law.

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## APATHY: ODISHA'S MINING AREAS GROWING TROUBLE-TORN

The people in coal mine areas of Odisha have been bearing the brunt of pollution and environmental hazards owing to the extraction of minerals by several industries but their issues go largely unaddressed.

The allocation of coal blocks to private companies will further worsen the condition of local people in the absence of State accountability. There is a need to go for an unbiased evaluation of last 50 years of coal mining to assess its impact on the economy of the locality in the perspective of the inclusive development of the displaced and affected people.

The sufferings and growing discontents of local people have been reflected in their struggles in a number of ways in recent times. Odisha has 25 per cent of the coal reserve of the country as estimated by the Geological Survey of India (GSI). Currently, mining operation is taking place in areas of Talcher, Chhendipada and Kaniha blocks in Angul, Lakhanpur and Brajarajnagar in Jharsuguda, Hemagiri block in Sundargarh and Talalabira of Sambalpur owned by Hindalco, Birla.

Mahanadi Coal fields Ltd (MCL), a subsidiary company of Coal India Limited (CIL) under the Union Ministry of Coal is the major leaseholder of seven underground and 16 open cast mines in an area of 17,557 hectares. Besides, several mines undergo operation through a number of joint ventures.

In a recent move, which has gone highly controversial, the Government has awarded coal blocks to private companies like Birla, Jindal, Monnet, Tata, Adani and many more. The MCL alone has employed 22,000 employees and the number has marginally increased during the last five years. The production of coal has almost doubled in last ten years from 60 MT to about 110 MT in 2013. The coal mine areas are also going to be major industrial destinations with the advantage of coal-based power, water, communication and availability of other minerals like iron ore, manganese, graphite, and limestone in the nearby districts.

Already, Angul and Jharsuguda have major mineral based aluminium, steel and power plants like Nalco, NTPC, Hindalco, Bhusan, Jindal and Monnet. The NTPC has plans to go for building thermal power

centres with 20,000 MW power plants to supply power to other States as 68 percent of India's power comes from thermal power and the 11th plan document emphasises on the expansion of open-cast coal projects allowing private players.

The growing demand for thermal power will have devastating consequences in the coal bearing areas of the State as open cast mining will have a huge demand of land for mining operation which includes not just mining but for other related purpose like dumping, infrastructure, office, residence and other commercial purposes. There are about 100 MoUs signed by the Government for power, steel and other commercial purposes and many of them are coming up mostly in coal areas. Mines and minerals are being integrated with the political economy of the State and have been playing a central role in influencing regional politics and economic policy. The coal royalty has been a matter of political debate referring Centre and State relation.

The Sarkaria Commission report in 1988, Anwarul Hoda report in 2006 and the recent Saha Commission in different ways have raised the issues of Centre-State relation over mineral resource control and ownership. The issue has been debated extensively which awaits judiciary and legislative interventions. While demands are being made to uphold the federal character but the Central Government is exercising more authority over resources and depriving the States of collecting cess. The laws like Coal-bearing areas (Acquisition and Development) Act 1957, SEZ Act 2005 and MMDR Act 1957 make the State almost powerless. Though there is a provision of royalty revision in three years but it is not done. This is a matter of concern for poor States like Odisha. Coal royalty constitutes a major part of the non-tax revenue from mines and minerals. Added to royalty, coal mines provide direct employment to hundreds of families as skilled and semi-skilled mine workers, including the locals, have been creating ancillary employment opportunities.

The current scenario in coal areas witnesses repeated displacement impacting the livelihood of people in agriculture, animal husbandry, fishing and forest produce collection. It is a matter of grave concern for farmers, Dalits, Adivasis, fisher folk and rural artisans who constitute a majority of the displaced and affected population.

Economic globalisation attracts people from outside to mining and industrial destinations in search of employment and other mines

related activities. It is evident that the outsiders have almost taken over the local economy. As per a conservative estimate, during last 50 years, about 200 villages have been directly displaced and another hundreds are in the process, mostly in coal bearing areas. It is evident that there are families in Sambalpur, Jharasuguda, Sundargarh and Angul who have been displaced thrice by dams, mines and industries.

Kanteikoliasahi in Chendipada is a small hamlet of Dalit families which was first displaced by Derjang and then by Paranga and again by the JSPL. The boundary wall of the JSPL almost makes the hamlet an inland without communicating passage to outside. All the families become landless and engaged as wage labourers with the minimum wage in the locality. Irrigation projects of river Mahanadi, Brahmani, Ib River and Basundhara are being used to supply water to the mines and industry and not for agriculture. Farmer organisations in these areas have raised this issue a number of times. Our judicial system and Government policy seem not to be reaching to the poor and illiterate and in spite of their repeated appeal to the local administration the law enforcing agencies are behaving in a feudal way.

Revenue official harassment in settling land disputes and negligence in payment of compensation has been continuing over generations. The environmental problem is an added burden to the people of the locality with huge coal dust, water and air pollution, water scarcity, deforestation, high temperature, increasing wasteland coverage and danger of abundant and underground mines. Pollution has lots of long term ramifications over livelihood, health and social environment, flora and fauna of the locality which cannot be revived in a short span. The State Pollution Control Board (SPCB) has been doing routine work without any legal intervention. The compensatory affirmation programme has almost gone non-functional by forest department without spending and accountability. People's movement and media reports are undermined without action and local people are forced to get acquainted to cope with the prevailing condition.

The MCL spends Rs5 per ton of coal produced or 5 percent of the retained earnings as per CIL guideline on CSR, which includes periphery development. The amount allocated for the year 2012-13 was Rs51.55 crore. Though there is a provision that out of CSR budget, 15 per cent and 8 per cent would be allocated separately and exclusively for SCs and STs, it is not followed. There is no involvement

of local affected people in the planning and monitoring of spending and convergence with other programmes. RPDAC as per ORRP is acting as a facilitating body for companies and paying very less attention to the issues of local people. Coal producing districts like Sundergarh, Angul and Sambalpur have not yet achieved full electrification. Drinking water and irrigation for agriculture has been a major issue in all coal mines areas. The people's demand for fair compensation, rehabilitation, safe environment, employment and livelihood rights is seen as an anti development and anti-mining and suppressed by the State and corporate houses without a fair hearing. This apathy of Government in denying its constitutional mandate has been encouraging violence, extremism and lawlessness. The people in the coal mines area of Machhakuta and Chendipada recently boycotted general elections in protest of Government apathy to their demands.

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## ADIVASIS, DALITS GET RAW DEAL IN STATE REHAB POLICY

Odisha witnesses a continued displacement process since independence and in recent times this has become a pressing issue with ramifications over the socio-economic development of the State.

During the last 60 years, there has been no political will of the Government to ensure the rights of the displaced, particularly the marginalised sections who constitute a major chunk of the displaced families.

The post 90s economic development plan of the State in line with globalisation and privatisation has initiated a number of new projects in power, steel, coal, bauxite, and mineral sector along with SEZ, urban expansion, infrastructure, port, highway, and communication, which are going to create huge displacement problems in near future.

Displacement is no longer a specific issue of a particular area or community as projects are coming up almost in all parts of the State from coastal to western and northern to south.

The issue has been affecting the economic growth of the State with its ramifications on the socio-economic life of the people and impacting more on the poor and socially marginalised communities of the State.

The Hirakud dam displacement in 1946 which submerged 1,83,000 acres of land and 350 villages is an example of Government apathy.

The resistance movements by Narmada Bachao Andholan in 1988 at the national level and tribal movements in different parts of the State against mining, big dam and mega industries have substantially contributed to the understanding of issues of displacement among public.

It has been the people's movements and resistance by affected communities, supplemented with research findings of socio-economic and environmental impact and human cost that have strongly established a point of view from the perspective of marginalised poor. These movements have provided space to the displaced people to raise their concern.



The State Government has come up with the Odisha Resettlement and Rehabilitation (R&R) policy 2006, for families displaced and affected by different kinds of projects such as mining, industrial, irrigation, urban projects, national parks, sanctuaries and other projects.

In the preamble of the policy, it is said that the Government wants to ensure social justice and people's participation in development process. There are also specific R& R policies by the Central Government- owned public sector companies like Coal India Ltd.

The Rights to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013 is the first legal and institutional effort in the country to recognise the issues of the displaced and their rights.

There has been a complaint of non-implementation of laws and policies and non-compliance with provisions by both the State and the companies in recognising the human rights of the people getting affected due to projects.

It has been observed that not only the State but also the corporate bodies are equally responsible for ensuring proper rehabilitation and resettlement of the oustees as a matter of human rights concern.

Very recently in June 2014, the UNO's human rights council in a historic resolution adopted the draft United Nations guiding principles on business and human rights as an international legal instrument on transnational corporations and other business enterprises with respect to human rights.

This resolution has been supported by India as a member of human rights council. The project affected people in the State are not a homogeneous group; there are different economic interest groups and socially marginalised sections having different types of expectations from a project.

The land owning farmers, Adivasis and landless Dalits and others have different issues in the process of displacement.

There are also people indirectly getting affected by the projects who do not feature in the displaced or affected list for rehabilitation and resettlement.

There are families facing multiple displacements in the same area for different types of projects in the districts of Jharasuguda, Sundargarh, Koraput and Angul, where people have been displaced due to dam, coal, power and aluminium projects.

It is evident that about 80 percent of the total families uprooted from the land of their ancestors during last 50 years are mostly Adivasis and Dalits. A majority of them are illiterate, unorganised and lack legal and political literacy to claim their rights in the existing legal framework imposed on them and also are politically invisible to bargain with the State.

They have not been part of many of decisions of the State imposed on them in the name of development of the people. They face historical injustice when there was no such policy and laws to claim their rights as oustees.

Their rehabilitation has been left more at the mercy of the then bureaucrats who were the inheritor of a British legacy in administration and feudal mind-set in social life.

As a result of which the people in many parts of the State still cite injustice done to them in getting their rightful compensation in the absence of any positive practice to be followed.

The Adivasi struggle is primarily for legal rights over resources, land, forest and water bodies, for survival and livelihood. They are also demanding for alternatives to minimise displacement, human and environmental cost, maintain ecosystems, save forests, hills and water bodies linking to their belief system and cultural practices but these concerns are not being reflected anywhere in the State policy.

The policy and acts have mostly provisions for land-based compensation and job where the land owning educated class can be benefited. The R&R policy is mostly favouring the land owning educated class with dominant principles of assessment without equity. A majority of land owning educated absentee landlords also support the ongoing industrialisation process to dispose of their land.

There must be a concern for ethics of natural resource utilisation and ensure livelihood of the future generation. Almost all the dams in the State have evicted a large number of tribals. 90 per cent of the oustees of the Upper Indrabati are tribals. The tribals are struggling for their

land rights and dues but in vain. A sad reminder is the Kalinganagar massacre when the administration and police did not care to shoot 12 tribals dead who were protesting illegal occupation of their land.

The tribals of Simiiguda got very less amount per acre in comparison to their counterparts in Angul for the same quantum of land in Nalco project. The landless Dalits are always in forefront of a never-ending struggle against displacement and loss of natural resource based livelihood.

The R&R should be used as an opportunity to rebuild the local economy and making an inclusive society with land to landless, job to unemployed and ensuring a democratic socio-economic environment. There has been no institutional arrangement for the involvement of local people and marginalised sections.

The compensation advisory committee at district level headed by the district Collector and State level council on R&R headed by the Chief Minister are mostly dominated by bureaucrats and ruling parties who deliberately choose their representatives and henchmen as committee members.

The people's movements and decent voice of local communities are not being recognised and given a chance for dialogue which became the cause of unnecessarily widening the gap between local community and administration. The local people should have a preference in getting all the advantages of the project and not just compensation for their loss.

The R&R of the displaced and affected should be integrated as part of the project with joint responsibility of the State and industries in the active involvement of the local people at each stage of the project.

The concerns of the marginalised poor uprooted in the process should get space in the policy and be encouraged to raise their issues at different levels as a democratic norm. The State R&R policy needs to be redrafted in the light of recent Central Act and by integrating many related laws relevant in the present context focusing human rights concerns of the marginalised communities. The State should protect the vulnerable oustees, ensure their basic human rights and pave the way for democratic participation for development.

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## LAND RIGHT MOVEMENTS IN ODISHA IN THE CONTEXT OF MARGINALISED

In recent days there has been visible land struggles in the state against mining and industrial projects evicting people without proper rehabilitation and resettlement. It has also been observed that mostly Dalits, Adivasi and other marginalised poor are struggling in demand of distribution of assigned land. This has raised questions and concerns in the perspective of land rights of SC and STs. A number of popular resistances in the state are to save land and also visible struggles to distribute land and have records of rights over land, land settlement etc. There has been a question that why landless should oppose land grabbing if there is no demand for land distribution. Similarly, people having land are more interested in opposing land acquisition rather than land distribution because they have already land. How to club both and identify common interest?

Land issues are part of our larger socio-economic and socio-political context, therefore, land struggles are not alienated or independent rather part of our people's movement taking place in different forms varies from geographical region to region. The movements are different in nature of forms. The demand of these movements varies for different interest groups and communities. The histories of land struggles were not holistic and identical. The land rights of land-owning farmers, Adivasis, Dalits and women are very different and specific to the interest of that particular group. Even also the interest of a sub-group within a group is different. But all are primarily concerned with legal rights and physical possession i.e. Right to Transfer or sale and right to enjoyment without restriction and discrimination.

The history of Dalit and Adivasi land struggles dates back to Anti-British and Anti-Feudal struggle which are not being well documented for many reasons. Very recently the organised and visible struggles are being recognised. Historically after 1940 it has been always the left parties who kept alive the land issues in the interest of sharecroppers, landless Dalits and Adivasis. There are also other groups in many places build movements in small ways at micro level remain unnoticed. Many socio-religious movements and individuals also contributed differently to the land movements in the state. They have been victimised by feudal and dominant castes forces in rural villages

and later on state and corporate together did all forms of atrocities against them either to take away their land or to dispossess them from their rights to have land under land reform programme for a dignified life and livelihood. They had to face physical attack, false court cases, all type of harassment and finally either end with amicable compromise or to leave the place in search of a new destination. The voice and sufferings of ordinary individual victims have been a great source of sustained struggles for Right to Land. Dalit and Adivasis from their traditional understanding rooted in their Indigenous history and culture have been questing the hegemony and dominance of powerful and through land struggles they build counter discourses against the appropriation and extraction of natural wealth by few, extreme inequality and anti-environment moves. They offer equality, justice and human values of dignity while laying their life, sweat and blood for the cause in the name of the land. Land is being worshipped as mother, source of life and protection, in communities.

With the increasing land alienation in post-eighties and the reverse move off land laws like SEZ Act against Estate Abolition Act and Ceiling laws, encouragement to Corporate Farming with a plea of a continuous campaign of small and marginal holding are not viable the land struggles become more intense. The increasing rights-based political conciseness over resource ownership and identity politics has added new strength to land struggles.

There have been a number of land struggles in mining areas of Odisha. Many of the visible struggles are in areas having mineral reserve where mining are coming up in future. The South-West, Odisha Bauxite deposit areas like Kashipur and Niyamgiri have such struggles where local communities are opposing mining and do not want to leave up their land but in North-Odisha and Central-West mining areas of Sukinda, Keonjhar, Sundhargada, Jharsuguda and Angul where mining activities have been for last fifty-sixty years there the struggles are not directly against mining rather bargain more in terms of compensation. These areas have a sizable local population engaged in mining as worker and Trade Union activities have motivating people for a higher wage, social security etc. The local people are in demand of jobs, compensation benefits and environmental control majors to control pollution and development work under periphery development and recent CSR policy.

The Post independent agenda of land reform, survey and settlement, Ceiling imposition and land distribution and reorganisation of traditional rights of Adivasis and Dalits over land including forest land are being avoided and not getting adequate visibility.

Land-owning farmers and even Adivasis (in some areas like Sukinda Non 5<sup>th</sup> Scheduled area) are in the forefront of the struggle to save land and the old issues of land distribution to landless being seen as outdated. The demand for homestead land and agricultural land for landless poor Dalit and Adivasis are not being seen as a demand in visible land struggles of mining areas. The land struggles should include the demand for land distribution, to prevent alienation and also making land productive, where the interest of different sections of people can be identified. The Adivasi land struggle in 5<sup>th</sup> Scheduled areas never linked to distribution as a result land settlement and regularisation process is very slow which has been creating many other problems. The total geographical area of 5<sup>th</sup> Scheduled area is 44.70% of the total geographical area of the state. Adivasi constitutes about 54% of the total population in 5<sup>th</sup> Scheduled area whereas Dalit constitutes 12% and others 34% (Census 1991). Out of total Adivasi population of the state, 68% of Adivasi lives in Scheduled area and 32% lives in the non-Scheduled area. About 20% of total Dalit population of the state lives in Scheduled area. (Odisha Economic Survey 1995-96, Govt. of Odisha). We have to think about land issues of Adivasis in the non-Scheduled area those who constitute about one-third of the Adivasi population and this number has been increasing for various reasons.

All non-Adivasis are allowed to have Govt. jobs, business, politics, social work, mining and industries in 5<sup>th</sup> Scheduled areas and slowly non-Adivasis have settled in all major towns of Scheduled areas like Rourkela, Rajgangpur, Joda-Badabil and Similiguda. Many of them have purchase land in the name of Adivasis and settled since long. The Adivasi population in these areas has been decreasing and posing a threat to the Scheduled status of these areas. Non-Scheduled mining areas have Adivasi population joining as casual labour and Adivasi hutments are coming up in Sukinda, Kalinga Nagar, Angul, Jharasuguda mining and industrial areas. Adivasis are thrown out of 5<sup>th</sup> Scheduled area as a result of which they are losing their legal right over land.

The left forces in the state have been preoccupied with land questions and organising landless poor in urban and rural areas in demand of land. The land struggle in South-West Odisha had incidences of caste and ethnic conflict between Dalit and Adivasis in places like Narayanpatana, Kandhamal, Kashipur and Kalahandi. Where Dalit communities are being wrongly identified as instruments of land alienation and land grabbing. Thousands of Dalit families at Narayanpatana forcefully were driven out of homes. Many Adivasi families suffered with false police case and police atrocities have done against Dalit and Adivasis. The land issues remain as before. Adivasis are being motivated by communal forces to practice untouchability and discriminate Dalits on the grounds of faith, culture and food habits. Historically Dalit and Adivasis have a symbiotic relationship and both are habitants of Scheduled areas but the land question of both the groups remains unresolved. The struggle of Adivasis in non-Scheduled areas like Kalinga Nagar for land where 13 Adivasis sacrificed their life and hundreds of families have been harassed, suffered with all sorts of difficulties but the movement become compensation centred without addressing the basic issues of land their like survey and settlement of Adivasi and Dalit land. The micro level struggles of landless poor in many parts of the state remain unnoticed. Organisations like Odisha Dalit Adhikar Manch with their limited presence have raised the issues of landless, land grabbing, land alienation and land related atrocities against Dalit and Adivasis through organising movements in form of protest Dharana, Public Hearing and petitions and reports to Govt. A number of left Parties have been organising movements in many parts in demand of land. There have been absences of Dalit and Adivasi parties in the state. The National parties like BSP, RPI and LJS etc. have very negligible mobilisation over the issue of land as a major issue of the marginalised. Many small local initiatives by Dalit and Adivasi groups are disjointed and lack of information and resources to sustain the struggle as a result still the land issue is in the periphery and there are also arguments that land distribution is an outdated issue. Small farming is not viable therefore no need for land distribution. The land question is directly linked to atrocities against Dalit and Adivasis in the state. The struggle against untouchability and atrocities against state suppression and land grabbing by companies are part of land struggle where Dalit and Adivasis are fighting against land owning class and caste, their representative in local bureaucracy and politics which taking side with the oppressor. Land right movements demand rights, control, access and use of land. Therefore Land struggles are

part of people movement for life, livelihood and dignity. It has been against historical injustice, disposition and exploitation towards building justice, equality and dignity.



## CRIMINALISATION, FREEBIES: STOP STUNTING YOUTH SPIRIT

The development of a State primarily depends on its human resources and planning for its effective utilisation. Youths in the age group of 13 to 35 years in the State constitute 42 percent of the total population of the State who are the productive forces of the society and need focus attention of the State in its planning and development perspective building.

The youths are not homogeneous as they are divided geographically, educationally, and in different social groups but the State can integrate them with a common interest for their development by recognising their diversity. The National Youth Policy- 2014 and State Youth Policy- 2013 are references which are a reflection of the attitude of the ruling parties towards the youths.

The youth policies are more focused on education and employment. The employment policy of today is more favourable for urban and educated youths who are mostly looking for formal sector jobs. The employment exchange, career counselling centres, skill development and pre-examination orientation programmes are limited to the educated youths. Urban upper-class youths can be easily integrated with the changes in the job market which are not possible in case of marginalised youths. There is a majority of rural uneducated and semi-literate, school dropout youths who are very insignificantly featured in our policy discourses. There is the absence of career counselling and information centre at high school, college and panchayat level to guide the youths from the very beginning.

In 2011, three lakh youths registered their name in different employment exchanges of the State. The placement rate was 1.23 percent for the same year. The live register position of the State for the year 2011 shows about 11 lakh applicants are job seekers through employment exchange out of which 9.5 lakh are educated job seekers and 1.5 lakh are below matric.

The most burning concern for the State is distress migration of youths from villages in search of employment. The most recent incident of migrant youths named Jialu Nial (30) and Nilamber Dhangada Majhi (28) in Kalahandi drew the media attention. Their hands were

chopped off by some Dalals. Youths in tribal areas are joining political extremism and violence. Young women are feeling unsafe and trafficking of poor young women is continuing unabated in many parts of the State. These days in almost all the villages of the State youths are migrating in search of livelihood because the State investment in rural areas to generate employment is very marginal. There is visible urban and the rural gap in all spheres. The State has not adequately invested in skill development of the rural youths. The number of ITIs in the State in comparison to other States is very less. There has been very less effort to train youths in modern trades to meet the emerging demand of employment. There are only 610 ITIs in the State having 67,000 seats for skill development. The employment scope in agriculture and allied services is not expanding due to the traditional method of cultivation and number of other problems with agriculture. The youths are not being encouraged in agriculture as modern farmers. The manufacturing sector is not expanding to supplement employment. The areas having industries and mines also have failed to generate employment for the local youths.

It is evident that in December 2013, about 5,000 youths had gathered at the Rajiv Gandhi stadium, Jajpur, for a recruitment event where police lathi charged to manage the anger of the unemployed youths. Jajpur district has 11 steel industries, 20 chromite mines and many other ancillary units in the pipeline but it is unfortunate to note that many of the youths from the district are also migrating to outside Odisha. It is because the employment generating efforts are not being integrated to the need of local youths. Same is the situation in Angul, Jharsuguda, Sundergarh and Kalahandi mines and industrial areas where local youths have been agitating in demand of job and other forms of employment opportunities.

The rural youths belonging to SC and ST communities are mostly illiterate and very few of them are semi-literate and literate as it can be seen in the dropout rate in high school level which is higher in the case of SC and ST students (61 per cent for SCs and 65 per cent for STs in 2011-12). Adivasi children have problems in reading, writing, spelling Odia as a language along with other issues. The youths of Dalit, Adivasi communities and Primitive Tribal Groups (PTGs) are facing socio-cultural barriers while accessing employment in their locality either in Government or private sector because of their social identity. They are not getting adequate family support to sustain and build their career. Many of them are leaving schools and colleges to

earn a living and support their families. In the absence of local employment and very marginal scope for self-employment, they have no option but to migrate to urban destinations mostly located outside Odisha. They have the very minimum skill to cope with job market dominated with caste and gender bias in recruitment. It is reported that young boys and girls of SC and ST communities are working in Kerala and Tamil Nadu fishing sector, textile and garment industries of Maharashtra and Tamil Nadu and engaged in construction work in Karnataka, Gujarat, AP and West Bengal. Thousands of young girls are working as domestic help in almost all metropolises including Bhubaneswar. The SC and ST youths are very rarely encouraged to grow as entrepreneurs of the community with credit and other hand holding support by local banks and Government officials as many of the aspiring youths of primitive tribal groups are lagging behind in many respect to come to compete in the market. The development of SC and ST youths will not be possible by charity and welfare. Youth should not be seen as beneficiaries of charity rather they should be promoted with the culture of dignity and hard work. The comparative advantage with the youths of a particular social group and area specific plan can be made to intervene in such kind of situation. The skill development programme for SC and ST youths is mostly beneficial to private companies and institutions that are using a lion's share in the name of skill development. Some of the trades provided in the name of skill development like housekeeping and home nursing are the other names of modern day domestic servant. The self-employment schemes like MGNREGRA and SJSY are not being effectively integrated with skill development programmes. The landless youths can be provided land with support under different schemes for sustainable self-employment.

The forest-related employment activities can be generated for tribal youths in the locality. There is a need for improvement of production technology and quality of life in the rural habitations with the availability of drinking water, electricity, communication, health, education, sports, cultural and entertainment centres.

During elections, youths are used by ruling parties for wrong political acts and used for political violence like booth capturing etc. The development works in rural areas are mostly controlled by mafias by misusing local youth power and private industries are using them as goons to suppress local people's movement. The criminalisation of youth is a matter of concern. The flow of liquor, addiction, violence,

discrimination, hate based on identity, pornography literature and video, bribe and the tendency for earning easy money need to be discouraged among youth.

As alternative, youths should be inculcated with spirit of good citizenship by promoting constitutional values, human rights, dignity, scientific temper, democracy, tolerance, patriotic feeling, brotherhood, hard work, self-help, non-discriminatory attitude towards fellow beings which are highly required to change the social culture among the youths so that they become good human beings with civic sense and politically responsible citizens. They should not be encouraged as beneficiaries of a welfare programme with a free laptop, cycle and making grants for cultural activities in villages.

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## DEMOCRATISE JOBS, ENSURE WORKERS' DIGNITY

The structure of feudal legacy and slavery in employment still exists in spite of laws to establish freedom and dignity in employment. Odisha witnesses a situation where international capital has already reached villages but the feudal system in employment has not yet changed.

International capital has not been helping to democratise the employment situation. The labourers belonging to marginalised communities in backward region are more prone to manmade inhuman exploitation. Unemployment and migration problems are a reflection of State's economic policy and the culmination of historical unequal social and political structure and resource marginalisation process. Labour issues have a close link with the present governance and socio-economic policy of the State. The issue of migrant labourers is very much linked to discrimination, exploitation and denial of basic human rights to live a life of dignity without fear and exploitation.

If the State does not care for its productive forces in terms of protecting them from exploitation, planning their employment, skill up-gradation, social security then it will affect production and growth of the State. It has serious implication on the marginalised sections life and their livelihood in particular and the overall economy of the State in general.

The Odia labourers are found in Raipur, Assam, Kolkata, Tamilnadu, Karnataka, Delhi, Mumbai, Punjab, Gujarat and Andhra Pradesh etc. They do all manual jobs without working hours, minimum wage and stay in most inhuman condition with family, women and children and suffer all kinds of subjugation, indignity and humiliation. Non-utilization of rural labour force made the State unproductive and dependent because the rural labourers constitute about one-third of the total population of the State and almost more than 90 per cent is in the unorganised sector. They are rural poor, landless agricultural labourers, homestead less and agricultural landless, Dalit, Adivasi and most backward communities who have been dependent on the physical labour of traditional skills and natural resources for survival.

As per 2001 Census, Odisha has 21 lakh agricultural labourers. Ganjam district has the highest number of agricultural labourers as

well as cultivators with a high concentration of SC population of the State. Patients affected by AIDS in Ganjam district also stand highest (6,694 which is 32.3 per cent) out of total 16,733 AIDS patients in the State.

The cost of living for agricultural labourers in Odisha is one of the lowest in the country as their wages are also the lowest. There has been no attempt to organise these workers to raise their bargaining power by any political party or trade union with the exception of a few invisible micro attempts. The peasant movements in demand of supportive price to farmers for paddy never raise the issue of agricultural labourers though they are part of the production process.

They have never been integrated to the strategy of our overall agriculture development agenda. They face all forms of discrimination and indignity in employment. Women labourers face wage discrimination though they do sowing, transplanting, weeding, hoeing, harvesting and storing of grains etc.

Issues of sexual harassment at workplace by the dominant landlords and contractors in rural areas also are very often highlighted in media. Labourers of SC & ST communities face caste and ethnic-based discrimination and practices of untouchability in villages. Still, there are inhuman practices like bonded labour, child labour, caste-based occupations, scavenger and many other workers are engaged in unsafe occupations in violation of human rights and labour laws.

Rural labourers do not have employment throughout the year. They get about six months of employment in a year and in the absence of formal credit delivery system for poor in rural areas, they take informal advance credit from moneylenders, middlemen and contractors to manage their livelihood for rest of the months. The low wage they get as an agricultural labourer is insufficient to meet even their basic needs. They borrow in distress to meet numerous festivals expenses in each season. Also, borrow in distress during sickness for health care, education of children, marriage, death and birth rituals, for family and friends. Alcoholism and domestic violence makes them more vulnerable to fall into the traps of local labour contractors. There are laws like Interstate Migrant Workmen (Regulation of employment and Social conditions) Act 1979, Minimum Wage Act, 1948, Bonded Labour System (Abolition) Act, 1976, Child Labour (Prohibition and Regulation) Act, 1986, Equal Remuneration Act, 1976, The

Employment of Manual Scavengers and Construction of Dry latrine (prohibition) Act 1993, The Sexual Harassment of Women at Workplace(prevention, prohibition and redressal)Act, 2013, The SC and ST(POA) Act-1989 , Section 3 (1) (vi) etc. which prohibit forced employment of SC and ST communities and protect women and children from physical and mental exploitation. The Unorganized Sector Workers Social Security Act, 2008 and NREG Act, 2005 had focused more on employment and social security of rural labourers.

Why these said laws are not being implemented in true spirit by the agencies build for this purpose?

The failure of law and order, labour and police department and non-implementation of programmes by the Panchayati Raj department and lack of awareness among rural poor about their basic human rights are the major reason of distress migration. Any person working anywhere in the country needs to be protected as a human being and all his/her rights as a labourer should be respected.

The State as the protector and law enforcement agency should be held responsible for non-compliance with the Constitutional mandate. The Panchayati Raj institutions, local police, labour department officials, ST and SC Development department, Women and Child Development department officials should combinedly make interventions as a majority of workers are rural poor, SC, ST, women and children, but there is a lack of interdepartmental coordination and combined concentrated effort within the Government. The local trade unions, SC, ST and women organisations should have spread political and human rights education among labourers with adequate information about the Government policy and protective laws and employment generating programmes by which the labourers can make use of it. Labour literacy and human rights education are very important to motivate the labourers towards a productive culture with respect for human being and dignity of labour.

Odisha's 55.81 lakh households were issued job cards in 2010-11, in which only 13.94 lakh households were provided employment. Out of which only 82,000 households were provided only 100 days of employment. On an average 40 days of employment were provided to willing households. The share of employment of SC and ST households and others amounted to 19 percent and 36 and 45 percent, respectively.

Complaints of use of machine and mortgage/renting of Job cards by an official in charge and making bills in the name of card holders by paying a meagre portion to make it legalise in the eyes of law.

The Economic Survey report of the State Government shows a very poor performance of the State Government in the implementation of employment generating programmes. The most popular employment generating programme like MGNREGS has not even provided 100 days of employment to 2 percent of the total card holders. The agriculture sector still runs in the traditional style without irrigation, insurance and fair price of agro products.

State investment in land development, irrigation, electricity, rural connectivity, marketing and basic infrastructural development of the rural areas are very essential. The agricultural labourers in farms can be engaged in agriculture and forest produce based cooperatives, small industries, consumer good production of mass nature, weaving, leather work, milk, egg, meat, fish, vegetables, fruits need for domestic consumption. The food import in State can be minimised. The school children can be provided milk, vegetable and egg in MDM from the local market. The Government can buy all these produces for domestic consumption. The need for social sector investment in rural areas in health, education and sanitation to change the quality of life and reduce the urban-rural gap in social sector facilities is very much required. Gandhi suggested for agricultural development, small and cottage industry, Khadi, diary for the eradication of poverty of Odisha. Dr Ambedkar in his historical writing about Odisha suggested utilisation of its natural resources, water, minerals and forest produces. He suggested for building dams and reservoirs to produce electricity to run factories and use water resources in 80,000 sqkm of the Mahanadi, Brahmani and Baitarani delta.

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## PRIVATE FIRMS SHOULD STICK TO JOB QUOTA NORM

Everyone should have equal access, representation and participation in all spheres of national life to contribute in nation building. Reservation was introduced during the British rule. Today the policy makers and Governments around the world are recognising the damaging impact of social discrimination on economic growth and national development and hence, are taking affirmative action to ensure that the underprivileged sections grow.

Post-Independent India witnessed reservation for SCs and STs in Parliament, State Assembly and local self-governance, jobs, educational institutions and share in budget spending etc. The reservation of OBC though it was recognised in the Constitution and later recommended by the Mandal Commission yet came into force after the 1990s against huge resistance by anti-reservation groups. Reservation for OBC varies from State to State.

Justice Ranganath Mishra and Justice Rajinder Sachar Commission recommended reservation for a linguistic and religious minority but it has not been implemented by the Government. It is observed that Muslims do not have a representation in proportion to their population. Last sixty-five years of reservation have given a chance of representation to the SCs and STs in governance, jobs and educational institutions, but the reality is very disheartening. Barring political representation, the underprivileged sections do not have the desired level of access to job and education. In case of grade A, B and C jobs the quota is not filled. It is only D class jobs where the desired access has been achieved. Mostly SCs and STs are appointed as peon, orderly, sweeper, driver and watchman.

The monitoring bodies and departments implementing reservation should ensure the implementation of the policy in true spirit. The department of personal and training under Ministry of Personal, Public Grievances and Pension, NCSC, NCST, NCBC, NCM, Parliament committee on welfare of SCs and STs, Ministry of Social Justice and Empowerment, Ministry of Tribal Affairs, Planning Commission (OBC division) should be proactive and accountable. There are 75 SC and 41 ST members in the Parliament who are

members of different committees. It is their responsibility to ensure that the neglected sections get ample opportunities to grow.

In Odisha, The ORV Act 1976 should be monitored by the SC and ST development department and SC and ST MLA House Committee to ensure the policy of reservation is implemented for the benefit of the SCs and STs. The current reservation policy is limited only to the public sector which needs to be expanded to the private sector. The reservation should be expanded to other communities and groups like minority and women as well. The SCs and STs are largely absent in mining companies, industries, media houses, charity industries, donor agencies, NGOs, judiciary services, private educational and medical institutions, private financial institutions, the entertainment industry, hospitality industry and research organisations. The media too is mostly dominated by the dominant communities. The contractual appointments, project based appointments and number of job opportunity created in bilateral and multilateral projects by the Government and international agencies are not following the principles of reservation. Even many of the provisions are not being followed in the name of caste, culture and tradition.

For example in spite of Supreme Court guidelines, Dalit women are not allowed as a worker and cook in ICDS and MDM programmes in villages. The private sector organisations like FICCI, FIMI, ASOCHAM and CII have been asked by the Prime Minister's Office to work out strategies in this direction. The companies like TATA has been trying to ensure the representation of SCs and STs in their establishment and arguing for affirmative action in training and education by which job can be ensured.

In the era of globalisation, privatisation and liberalisation it has been argued that the private sectors should provide reservation to the caste based discriminated communities as many of the public sectors are being privatised. The private companies utilising the land, water, mineral and infrastructure of the country and enjoying subsidies and tax holidays for their benefits get tax holiday, mineral, water, electricity, security, transportation facility in railway, port and roadways provided by the State. So why should not they follow the principles of affirmative action and reservation? Caste diversity is non-existent in the Indian corporate sector and nearly 65 per cent of the Indian corporate board members are from one caste group, the forward caste.

It is also said that the SCs, STs, OBC, minority and women are significantly underrepresented in the ownership of enterprise and the share of the workforce employed by them. Many of the beneficiaries are hiding their identity with inferiority complex and face segregation in offices and educational institutions. The beneficiaries of reservation are seen as less talented, inferior and seen as people who deserve sympathy. It is unfortunate that the so called talented minority communities are being the exploiting majority of people and enjoying shamelessly all benefits of national material and intellectual wealth.

The rich people of the country support privatisation so that reservation will be abolished and they can capture private seats with a huge donation and not by talent. Reservation ensures representation and thus participation of all in nation building. The nation does not belong to a few communities. It belongs to all people who deserve an equal opportunity to live a life of dignity.

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## FARM LABOURERS DENIED MINIMUM WAGE, SOCIAL SECURITIES

Agricultural labourers in rural Odisha are struggling hard to survive with the changing economic scenario. They constitute about 15 percent of the total workforce of the State. Census data of 2001 shows Odisha has 21 lakhs agricultural workers who mostly belong to SC, ST and most backward communities and these workers are more concentrated in districts like Ganjam, Mayurbhanj, Kalahandi, Baragarh, Baleswar, Cuttack, Keonjhar and Jajpur.

Women are employed in a large number as agricultural labourers. They get about three to four months' employment due to seasonal nature of agriculture and single cropping pattern. In recent days, about 60 per cent of agricultural works are being done by machines resulting in a decrease in demand for labour. The labourers in agriculture sector get the lowest wage in comparison to others which also encourage a shift to other employment like construction work under different Government schemes in rural areas. In spite of instructions by the Government against the use of the machine, it is known to everyone that most of the MGNREGS works are done by machines. Without any other alternative, the village folk resorts to distress migration.

A Union Ministry of Labour survey shows that the cost of living of agricultural labourers in Odisha is one of the lowest in the country in comparison to highest in the State of Punjab. The agriculture of the State which still provides employment to about 60 percent of the population is mostly dominated by small and marginal farmers and sharecroppers who also work as labourers after finishing the work in their own field. An agriculturist engages the whole of his family in his work. Women and children also play a major role in the whole process but the agricultural workers who are landless and fully depend on others' fields are the worst suffers because their involvement is restricted to wage employment only. The small land holding farmers get food, fodder, fuel and other benefits while wage labourers just gets the wage.

The National Commission on Rural Labour and the National Human Rights Commission (NHRC) have identified bondage of agricultural labourers as still being the main form of bondage in backward States

like Odisha. Labour bondage is linked to traditional social relation and caste system which are more visible in the agriculture sector of rural and tribal areas of Odisha. In the backward areas of the south-west with low irrigation, lack of infrastructure, low productivity, land alienation and debt, land owning tribals and Dalits are increasingly being converted as agricultural labourers. A number of studies also have established that the bonded labour system in agriculture still prevails in many backward areas of the State which is linked to indebtedness and feudal relation in agriculture production.

The landless agricultural labourers belonging to Dalit communities face social discrimination in every sphere of social life. They are allowed only the activities in the field and restricted on their involvement in post-production work like food processing, marketing and direct consumption activities. They cannot sell rice, rice products, milk and milk products in the village. Even they are allowed with restrictions to use rice mills in a particular day. Even they are not allowed petty grocery business, tea stall, eateries in caste villages. Landlessness, illiteracy, lack of credit and social discrimination collectively restrict their participation to go beyond wage labour for self-employment by using the advantage of Government schemes and subsidies. This has been a major reason for the failure of many of Government schemes which has been unable to build an enabling environment by integrating the potentialities of agricultural workers with resources and very less effort has been made to address the social issues which are blocking economic development interventions in rural areas. The beneficiaries have to invest free time and go through a corrupt process led by hegemonic local political agents of ruling party and bureaucracy to get something which is always less than they deserve. The commitment to family members, especially to children, elders and women and the obligation to age-old traditions in family life forced many of them to manage with mere wage and basic minimum for life. To meet the emerging aspiration in the family for education of children, health care, clothes and other needs like marriage, birth and death rituals, they struggle to survive with a basic minimum for life. Most of the landless agricultural worker families have no food security, house and social security.

The minimum wage fixing machinery (Agriculture) convention and minimum wage fixing conventions of ILO apart from a Supreme Court judgment in 1991 say that the minimum wage must cover the living expenses of the labourers and his or her family members. Moreover, it

must be fair and reasonable to the general level of wage earned and the living standard of other social groups but the wage fixing by State Government does not take into account the expenses of a decent and dignified life. The percentage of BPL family among agricultural workers in some parts of Odisha is highest in the country. The Re 1-a-kg rice scheme is helping many families just to survive and also help in controlling starvation death, extreme poverty and hunger.

Natural and manmade disasters like flood, cyclone, drought, water logging, crop loss, seed and pesticide-related damages affect the agricultural labourers more than the farmers in terms of unemployment. The relief and compensation and rehabilitation programme of the Government are more as political charity without a fair and realistic support.

The recent trend in the State called economic globalisation armed with global capital has uprooted many families with involuntary displacement, loss of agriculture based livelihood in many mining and industrial areas where farmers are converted to agricultural labourers and wage earners. The huge agricultural land and forest are acquired by private companies for non-agricultural purpose. The recent trend shows a large chunk of Adivasis are joining as agriculture labourers in coastal areas and other irrigated parts like Baragarh and Sambalpur. Fertile agricultural land in coastal areas are getting converted to SEZ, urban locations, industrial hubs, corridors and roads and railway tracks which bear a direct impact on local agriculture labour who are not being adequately compensated due to lack of land entitlement. They are being pushed from their own locality to the periphery as casual workers. Rural agricultural workers are migrating to urban slums, upcoming industrial locations and cities where they have to lead a life without safe drinking water, sanitary facility and housing. The population of urban poor has been increasing in the State at an alarming rate.

It is unfortunate that there is the absence of visible agriculture labour organisation in the State because the political parties and trade unions and CSOs have not given due attention to the mobilisation of agricultural workers as a result of which their issues are not being reflected in the State policy. The issues of agricultural labourers in the State need to be addressed to check distress migration and poverty. There too is an urgent need to boost agriculture production and employment in rural areas for an inclusive development in the State.

Creating an alternative source of livelihood for agricultural workers has been a challenge as agriculture sector cannot accommodate such huge unskilled labour force. There has to be improvement within agriculture sector and other related sectors in rural areas. The skill of existing agriculture labourers needs to be upgraded to meet the mechanisation need of agriculture sector.

They should be provided minimum land to get self-employed in land-based activities by distributing wasteland and available common land. They should be encouraged with integrated farming by integrating cultivation of paddy with vegetables, dairy, poultry, pisciculture and many more trades.

The 12th Planning Commission has proposed cooperative farming of agricultural workers by giving them the grant to purchase private land and collectively go for farming. The State Government has also made provisions under OGLS Act 1971 to distribute agricultural land to landless agricultural workers. Way back in 1950 and later in 1956, the agriculture labour inquiry committee also had recommended land for agricultural workers and self-employment schemes. Sadly, they are not being implemented in true spirit. The minimum wage of agricultural workers should be increased at par with other States along with social security majors like free housing, medical benefit, education, insurance and other incidental coverage as complimentary to their income. The quality of life of the people in villages needs to be improved with sanitary facilities, roads, electricity, safe drinking water, school, hospital and marketing places to minimise rural and urban gap in social infrastructure.

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## IMPLEMENT TRIBAL SCHEMES FOR STATE'S INCLUSIVE GROWTH

Every citizen has equal rights over the resources of the nation i.e. land, water, forest, minerals and also the financial resources of the country. The national spending for the wellbeing of its citizens should be inclusive of all regions and social groups.

Realising the limitations of our planning process, in 1979 the then Prime Minister Indira Gandhi introduced the concept of SCSP (scheduled caste sub plan) and TSP (tribal sub plan) while allocating resources in budget planning.

The Government of India initiated the concept of TSP in Fifth Five Year Plan period and SCSP in Sixth Five Year Plan. The SCSP and TSP are initiatives in closing the development gap between the Scheduled Castes and Scheduled Tribes when compared to others. This strategy aims to direct plan resources across Central Ministries and departments in the States, at least in proportion to the SC and ST population at the national level (16.2 per cent and 8.8 per cent respectively) and similarly in Odisha 17 percent (SCs) and 23 percent (STs). The Planning Commission of India has been issuing guidelines to the Ministries and States which speak about principles of budgetary allocation and restrictions on its utilisation. Many States like Tamil Nadu and Andhra Pradesh have done exemplary work on this by enacting legislations like Andhra Pradesh Scheduled Caste Sub-Plan and Tribal Sub-Plan (Planning, Allocation and Utilization of financial Resources) Act, 2013.

STs and SCs constitute 40 per cent of Odisha's population, whereas out of 147 MLAs, 63 MLAs {37-ST (13-INC, BJP-3, 1-Independent, 20-BJD) and 26 SC (4-INC, 1-CPI, 21-BJD)} belong to the SC and ST communities.

There are statutory committee like Tribal Advisory Council (TAC) and Scheduled Caste Advisory Board (SCAB) headed by the Chief Minister and also SC and ST MLA committee in State Assembly, but it is unfortunate that such an important provision relating to the development of SC and ST communities is not being properly discussed in any of the forums of the State. Only three tribal and one SC are Ministers. The Constitutional bodies like National Commission



for Schedule Caste (NCSC) and National Commission for Scheduled Tribe (NCST), with a mandate to monitor development issues, are very feeble. The SC and ST Development department has no proactive role in the process. The sister concerns like SCSTRTI and OSFDC are virtually unaware about the provisions and are engaged in routine work in the name of SC and ST.

They have been doing nothing in terms of providing research support or programme implementation relating to SCSP and TSP even though it is headed by academics and with a substantial budget, infrastructure and staff. Research institutions are engaged in building tribal cottage and installation of the archival effigy in the city, organising festival but doing less research, particularly on SCSP and TSP. They should be sent on exposure to States having good work on SCSP and TSP to learn things.

From 2013 to 2014, the total budget of the State was about `60,000 crores out of which `24,000 crores could have been spent under SCSP and TSP, but again the State failed to do it like the past years. The funds earmarked for SCSP and TSP are diverted for other purposes than specified or they at times remain unspent. Besides, there has been a discriminatory allocation of funds to different districts. Out of 40 departments in the State, about ten are not following the guidelines.

While the SC and ST Development department are declared as the nodal department in regard to formulating and monitoring the TSP and SCSP, there is also State, district and block level monitoring committees for formulation and execution of the TSP and SCSP. The district level monitoring committee is constituted under the chairmanship of District Collector and block level committee is constituted under the chairmanship of Sub-Collector and Chairman, Panchayat Samiti, but these provisions are non-functional in the State.

Unfortunately, the State Government has not introduced a single scheme for the SCs and STs under the SCSP and the TSP. This may be due to political apathy of the ruling class and anti-poor bureaucratic attitude.

The tracking of SCSP and TSP will promote transparency in budget expenditure and accountability of the Government towards SCs and STs in the State. Hundreds of non-SC and ST groups are engaged in

SC and ST development with unending research without advocacy follow-up.

There has been a felt need of a strong people's movement based on evidence-based arguments but research findings are never being converted to demands of the people's movements. The academic exercise of accounting percentages should be converted to the planning process.

The SCs, STs and PTGs in Odisha have been facing acute poverty, hunger, death, landlessness, distress migration, displacement, untouchability, caste-based discrimination and atrocities. These issues are gravely affecting human dignity, life and livelihood of these communities. The implementation of SCSP and TSP can be linked to address such sensitive and long due issues for the overall development of the State.

These communities should be provided employment and access to productive resources like land, education, healthcare and human resource development through skill upgradation and access to credit.

Their hamlets should be linked with all-weather roads, drinking water, electricity, toilets and basic amenities and infrastructure like drainage line, garbage pit, community hall and housing for a dignified life and livelihood as a priority.

There has been an urgent need for ensuring political will, responsible bureaucracy and strong enactments of laws to make the process accountable and transparent that can only be possible with a strong informed people movement by the SC and ST communities and others concerned.

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## ODISHA'S SCs, STs MUST GET SMOOTH BANK CREDIT

Financial inclusion plays an important role in the process of economic development. The access to credit has not been democratised and inclusive across social groups. About two-third of the total poor in rural and tribal areas belong to SCs and STs, who constitute the core of poverty group. And this group is yet to get a smooth bank credit link.

Odisha has about 3,595 branches of different banks till 2012 which include commercial banks and cooperatives out of which about 55 per cent of branches are in rural area.

Till 2012 in terms of a number of commercial bank branches, SBI is heading the list with 678 of branches followed by 206 of UCO bank, 172 of Bank of India, 119 of UBI, 116 Andhra Bank, 112 of PNB and 109 of IOB. There are also 5,000 cooperatives functioning in the State. It is observed that private sector banks have advanced very marginal loans to the SCs and STs. The State-level bankers' committee for the year 2011-12 shows out of total advance of Rs93,094.85 crores, the advance to the SCs and STs was Rs4,181.56 crores only which is just 4 percent of the total advance.

The Odisha SC and ST Finance Development Cooperative Corporation Ltd (OSDFC) under the department of the SC and ST Development should have a proactive role in this regard but this institution has been operating with very poor performances in spite of loan from NSKDFC and National SC and ST Finance and Development Corporation under Ministry of Social Justice and Empowerment.

The provisions of the constitution under article 275(1) and 244 ,46,23, and budgetary provisions like TSP and SCSP have enough scope to promote credit facilities in Scheduled areas where the bank can play a major role but this has been seriously neglected by denying the SCs and STs rights to credit for their development. The international agencies like World Bank, DFID, UNDP, IFAD and many others need to focus on the credit need of the poor to generate self-employment through utilisation of natural and human resources locally.

The bonded labour system and the migrant workers problem are very much linked to the credit need of the rural poor who still depend on

traditional money lenders, labour contractors and businessmen to meet their emergency need for small investment in agriculture and allied activities like purchasing agricultural appliances, fertiliser, seed and food need in lean period, emergency during illness and festival, rituals and ceremony expense like marriage and death in family.

Many of the upcoming youths those who want to invest in small business and self-employed activities are denied loans by the local banks with the plea of collateral security and third party guarantor. The SHGs members are harassed by bank officials to open an account or to withdraw money. They have to wait in the bank for days together and face discriminatory attitude of bank officials. The SC and ST students are getting many difficulties while opening their bank accounts for on-line transfer of Pre-matric and Post-matric scholarship.

Dalit and Adivasi women are routinely harassed in many ways. There have been reports in media about the nexus between ruling party agents, Government officials and corrupt bank officials who are managing a lion's share of the subsidy money and taking a bribe in sanctioning loans under different Government schemes for the poor.

The motivated young social entrepreneurs from the community should play a pro-poor role in helping women and others to have easy access to banks. In the mines and industrial areas, many displaced families are being harassed due to non-cooperation by bank officials in opening account or withdrawal of their compensation amount. Many of the illiterate families are being exploited even to open a bank account and the bank staff discriminate with customers of poor and SC and ST background.

The issues of landless, collateral security, third party guarantee and regular income are major problems for the SCs and STs when they deal with local branches. There are a number of centrally sponsored schemes under which credit is provided by banks with a subsidy. The credit provided under different schemes is monitored by the RBI. In both credit and subsidy, there is reservation and relaxation for SCs and STs. SGSY which is a poverty alleviation scheme in rural and semi-urban areas where not less than 50 percent of the families should belong to the SCs and STs.

The committee on credit related issues under SGSY by the Ministry of Rural Development says the poor performances of SGSY in Odisha. It

says high incidence of poverty in Odisha is due to lack of interest by banks and adequate knowledge of local Government officials. The role of the bank is not just linked to provide finance but involvement in the project from inception.

The banks should increase their branch network and recruit more staff with proper orientation on credit need of SCs and STs. The State Government should provide support to the commercial banks to open a branch in remote rural and tribal areas in terms of incentives. Proper coordination is highly required among local Government officials and banks while executing programmes and credit link for rural poor because most of the schemes like MGNREGA are linked to the bank and there has been systems like direct bank transfer.

There should be a special cell to monitor credit flow to the SC and ST beneficiaries and ensure implementation of RBI guideline by documenting the issues and generating data. The institutions like NCSC, NCST, NSFDC, OSFDC, PRIs, CSO, SC and ST organisations should be involved in the process to promote awareness and transparency so that access to financial resources can pave the way to development.

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## PROMOTE MICRO ENTREPRENEURSHIP AMONG SCs, STs, AND WOMEN

The manufacturing sector is the second largest employment generating sector of Odisha which constitutes about 65 percent of the share of the industrial sector, almost one-fourth of the State's GSDP in 2012-2013.

A major part of the manufacturing sector is micro, small and medium enterprise (MSME) which includes different categories such as repairing and service, food and allied products, engineering and metal, textile, forest and wood-based products, livestock and leather, electrical and electronics, rubber and plastic, paper and paper products, chemicals and allied products, etc. It generates maximum employment next to agriculture and has export potential.

The Micro, Small and Medium Enterprise Development Act, 2006 came into force in 2006. It provides a conceptual and legal framework for this sector.

The Odisha Micro, Small and Medium Enterprise Development Policy 2009, published in the State Gazette in February 2009, aims at the growth of MSMEs and thereby widening opportunities for employment generation, revenue augmentation, and exports with a focus on sustainable and inclusive industrial growth and balanced regional development.

The statistical evidence shows the growth of MSME in Odisha is not at par with the national and international standard. The State MSME Department sources say about 1, 23,292 MSMEs have gone into production till March 2013 and invested Rs 4, 96,959 lakh which generates employment for seven lakhs persons. The districts of Sundargarh, Cuttack and Ganjam have more enterprises and also generate employment with a higher amount of investment in comparison to other districts but backward districts such as Malkanagiri, Deogarh, Nuapada, Boudh, and Gajapati have very less number of units as well as employment and investment in comparison to other districts.

The categories like food and allied products, repairing and service enterprise, textiles, glass and ceramic, engineering and metals, forest and wood-based enterprises employ more number of people and there

is scope for improvement in areas like livestock, horticulture, minor forest produce, seafood products, plastic and electrical and electronics, etc.

This shows the relatively backward areas having SC and ST population have not been explored with the inherent potential of natural and human resources to set up micro, small and medium enterprises to boost local employment and bring down the regional imbalances in the State.

There are also industrial hubs and Special Economic Zones(SEZ) coming up in the State such as Kalinganagar, Angul, Jharasuguda, Joda and Badbil, Paradip, Rourkela, Gopalpur, Dhamara, Choudwar, Rayagada, Kalahandi and Chatrapur etc where there are tremendous potentialities for promoting MSME involving the local people which can increase production and generate employment as ancillary and downstream industries.

The State Government has made provisions in its MSME Development Policy, 2009 for reservation of minimum 20 per cent land in all industrial estates, industrial parks, industrial corridors, and banks for MSMEs. But the Government has not yet provided adequate attention to promote MSMEs by providing land, credit facility, technological and marketing support.

It has routinely complained that the MSMEs in rural and urban areas are being harassed during registration and have to spend time in coordinating with banks, DICs and other related Government departments for clearance. There is a lack of dedicated financial institution in the State to finance MSME while it cannot brushed aside that most of the scheduled commercial banks are charging a higher rate of interest, with the provision of collateral security which has been difficult for many of the prospective entrepreneurs of poor economic background and socially marginalised groups. The poor people still depend on informal credit systems and Self Help Groups (SHG) to get finance for economic activities. Many of the economic activities run by a number of SHGs are not economically viable and do not expand due to lack of adequate financial as well as facilitation support to make the units viable. There should be new trades and innovations with the use of modern technology and that should be suitable to the market needs. Though it has been told in the policies that women and SC and ST entrepreneurs will be promoted but this

has not been reflected in the implementation process of the Government departments and financial institutions operating in the State.

The Scheduled Castes and Scheduled Tribes Finance Development Corporation Ltd and SCs and STs Development Department have very poor coordination and linkages with the MSME Department.

The provisions of SCSP and TSP should be integrated for the development of MSMEs among the SCs and STs of the State. It seems the State focus is more in setting up large and mega mineral based industries and mining which generate very less employment, whereas the MSME sector which contributes more in terms of GDP and having the potential of generating employment is being neglected.

Recently the Prime Minister in his speech during this Budget Session in Parliament said, the SMEs form the backbone of our economy and account for a large portion of our industrial output and employment. The BRICS countries such as China, Brazil, and Russia, are doing well in the manufacturing sector in terms of providing employment whereas a vast majority of the population in India depends on agriculture. The growth of employment in the manufacturing sector is not changing like others. India's share in world manufacturing is only 1.8 per cent whereas it is 13 per cent for China.

The Planning Commission of the Government of India in the 12th five-year plan made details strategy of the manufacturing sector growth plan for the country. A number of studies such as 'Caste and Entrepreneurship in India' by Harvard Business School and 'Caste and Business and Industry in Modern Nation' by Prof. Thorat, Prof. Jodhaka, and Harish Damodaran, have established that SCs and STs are considerably underrepresented in entrepreneurship sphere even in States having progressive policy for their upliftment. SCs and STs of Odisha in comparison to others are not being adequately represented in the MSME sector in spite of their proportionate representation in politics due to provisions of reservation at a different level though they constitute about 40 percent of the total population of the State. Their access to economic activities has not been democratised due to social discrimination, which also affects their economic participation in the absence of protection against economic exclusion.

There are a number of programmes and institutions under the Union Ministry of MSMEs for the promotion of MSMEs in States and



affirmative provisions are being introduced to promote SCs, STs and women entrepreneurs. There is provision both in Central and State policies about capital investment subsidy at 10 per cent of the Fixed Capital Investment (FCI) subject to an upper limit of Rs 8lakh to a new enterprise and 12 percent of FCI maximum up to Rs10 lakh to an enterprise set up by SC, ST, PWD, women and technical degree and diploma holder entrepreneur. The policies also say about tax relaxation in case of women entrepreneurs. The procurement policy for MSEs says that 4 percent will be earmarked for procurement from MSE owned by SC and ST enterprises. The Government has set up credit guarantee fund to provide relief to entrepreneurs who are unable to pay collateral security to avail the loan. There is credit linked subsidy schemes such as the Prime Minister Employment Guaranty Programme, which have provisions of subsidy of 35 per cent for the weaker section for service and manufacturing projects cost of Rs 10 to Rs 25 lakh. The States having clusters with more than 50 per cent of SC, ST, and women entrepreneurs will have special Central assistance for infrastructure development.

But it is unfortunate that many of our policy discourses are not being grounded due to lack of political will, bureaucratic apathy, poor planning and lack of socio-cultural motivation among people to be entrepreneurs. Odisha with huge potentiality has been suffering from lack of leadership in the economic sector and non-representation of its majority of marginalised communities in modern economic activities who are still in the traditional activities for their survival. They are officially encouraged to become beneficiaries of welfare programmes and subsidy culture but not as entrepreneurs to get engaged in productive activities. The State Government should build infrastructure for setting up MSME and promote institutions like National Institute for Entrepreneurship and Small Business Development (NIESBUD) to develop the entrepreneurial skill of youths and provide them with all kinds of handholding support.

There should be dedicated financial institutions and business facilitating agencies to incubate the prospective entrepreneurs from marginalised sections in backward areas. The areas having the advantage of natural resources should have special institutions to promote MSMEs.

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# HIGH TIME ODISHA ADOPTED RURAL HOUSING POLICY

Home is an integral part of life and determinant of standard of living and progress of society. Rural Odisha witnesses a very poor standard of habitation and lack of proper housing for lakhs of poor people who are dreaming of a house of their own to live with dignity.

Socio-cultural barriers, landlessness and lack of credit for housing are some of the major reasons which deprive rural poor of well-furnished houses. The rural poor face both man-made and natural disasters like flood, cyclone, earthquake, elephant menace, fire, caste and ethnic violence, riot and migration which are a major cause of the destruction of habitations.

During last 50 years, a number of projects have come up in rural, coastal and forest areas such as industry, mining, dam, conservation projects, ports, railway, highway and urban expansion. These projects have been evicting people without proper habitations.

It has been extremely difficult for the rural poor to relocate themselves in new habitations without adequate housing facility. Our socio-economic system has pushed many people to live without basic amenities for life and just using the available open space as habitations. Lack of adequate shelter for a dignified life perpetuates poverty, diseases, social tension and indiscipline in public life.

Historically, rural habitations in Odisha are built up in the most unplanned way and not being developed with basic minimum facilities.

Many of the habitations are not being recorded as revenue village, without linking roads, drinking water, sanitary facility, drainage lines, garbage pits, electricity, playgrounds, and space for socio-cultural activities, burial ground, parks, village forests and water bodies.

In multi-caste habitations, the commons are under the traditional hegemonic control of dominant castes. In many villages, the dominant people occupy the road for private use and block one part of the road with the same kind of activities.

The village commons are illegally occupied and included in private plots. Vested interest people gang up and use political power to defend their private interest. Public spaces are being occupied in the name of socio-religious activities and causing inconvenience to the local public.

International human rights law recognises the right to adequate housing as human rights. The Constitution of India Article 19(1e) and 21 say about housing as an integral part of the right to life but there is no enabling law to realise this right.

The Central Government has drafted the National Rural Housing and Habitation policy and many States have started responding to the issues of rural housing. The right to housing also includes protection against forced evictions and arbitrary destruction and demolition of one's home, free from arbitrary interference with one's home, privacy and family; and right to choose one's residence, to determine where to live and freedom of movement.

Indira Awas Yojana (IAY) is the most popular independent rural housing scheme for the poor. It was started in 1996 with Budget sharing of Centre and State in a ratio of 75:25.

It has been providing houses in rural areas to the poorest of the poor and most vulnerable sections in villages which include families of BPL, SC, ST, minority, PTG, manual scavengers, bonded labourers, PWD, transgender and women headed family, women in difficult circumstances, widow, divorced or deserted, women victim of atrocities, widows and next of kin of members of defence, paramilitary, police force killed in action.

Odisha has got an allocation of 1.6 lakh houses for 2014-15 for beneficiaries of ST, SC, minority, PWD and others. In February 2013, the Ministry of Rural Development (MRD) issued a circular to all States to allocate Rs70,000 for the construction of houses, Rs20,000 for purchasing homestead sites and Rs9,000 for the construction of toilets under Nirmal Bharat Abhiyan to each beneficiary of IAY.

Odisha has very poor implementation of IAY in comparisons to States like Kerala, Gujarat, Himachal Pradesh, Tamil Nadu and AP where the State Government plays a very proactive role.

The convergence of IAY with drinking water, total sanitary campaign, toilet under Nirmal Bharat Yojana, electrification under Rajiv Gandhi

rural electrification programme and dairy and poultry and kitchen garden under different IGP schemes has been done by many States which Odisha should follow.

It is also important that while allocating homestead site, the revenue officials should consult the community and allocate land in a single patch so that a habitation of socio-economically homogenous groups can be built up with community and livelihood infrastructural facilities.

The Odisha Government has no additional support to IAY beneficiaries. Many of the prospective beneficiaries are unable to avail the schemes because they are homestead landless but the State Government has made no effort to provide homestead land to the landless.

Even the State has not availed the grant to purchase homestead site for IAY beneficiaries given by the MRD since 2009 when about 11 States excluding Odisha have received Rs348 crore during 2009-2011 to purchase seven lakh homestead sites.

Access to finance is important for rural housing but it has been observed that non-availability of credit for housing is a major problem in the rural area. People are forced to take a loan from local money lenders with very higher rate of interest to build a house.

National Housing Bank (NHB), NABARD, and Housing and Urban Development Corporation (HUDCO) are involved in rural housing and NHB is the apex financial institution for housing in the country.

Many State Governments have promoted rural housing schemes such as Kaliagar housing schemes in Tamil Nadu, EMS housing in Kerala, Indiraamma in AP, Sardar Patel, Ambedkar, Dinadayal Awas Yojana in Gujarat, Birsa Munda and Sidhukanhu Awas Yojana in Jharkhand, Basav Vasati Yojana in Karnataka, and Rajiv Awas Yoyana in Himanchal Pradesh.

'*Mo Kudia*' housing scheme started by the Government of Odisha in 2009 is mostly for vulnerable groups who are not featured in BPL but otherwise genuinely poor. It works as a programme by the State to attend the left out in IAY. But the State has no rural housing scheme for different category of economic groups in rural area.

The Odisha co-operative housing and corporation Ltd is more urban focused. The Odisha rural housing and development cooperation (ORHDC) has existence since 1994 but it is not effective in comparison to other State housing schemes.

Odisha should have a rural housing policy and plan to involve banks along with housing finance institutions integrating with rural housing schemes for economically weaker section of people in rural areas along with habitation development.

The rural poor are facing bureaucratic hurdles and corruption in getting sanction order for IAY and for each instalment they have to visit the officials.

Many genuine beneficiaries are not being enlisted because of local influence of ruling party leaders in Palisabha and Panchayats. A Large majority of rural homeless poor are illiterate and from socially marginalised groups with very restricted access to Panchayat office and other Government offices and banks.

The non-availability of building materials is always a problem due to restriction in collection and monopoly of local contractors. The people in the remote forest and hilly areas, river in lands without all-weather communicating roads are facing the problem of transportation of building materials. There are also areas vulnerable to natural disaster and in close proximity of highway and railway line which need special attention.

The Panchayat Raj Institutions should have active involvement in the habitation planning and a major role in the selection of beneficiaries under different housing schemes. The local banks, cooperatives, Tehsil office and blocks can be integrated for land, credit and infrastructural development for housing and habitation development. There must be habitation and housing planning unit with blocks and panchayats to rebuild rural areas, villages and making that habitable and inclusive for all.

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## URBAN HOMELESSNESS IN ODISHA A CAUSE OF CONCERN

Nearly 15 percent of the population of Odisha lives in urban areas which is the lowest among the major States in the country. With growing urbanisation people from rural areas are migrating to cities in search of livelihood. Every year their number has been increasing which demand habitations with basic infrastructure. The increasing urban homelessness, poverty and poor quality of living of people in slums have been a matter of concern for inclusive urban development.

The special commissioner on homeless appointed by the Supreme Court in its report estimated that at least one percent of the population of cities is homeless. There are people living in temporary structures without roof and wall under plastic sheets, tarpaulins and thatched roofs in railway stations, bus stands, and garbage-dumping yards and at the extreme end of the colonies by waste pits and nalas in the city.

Natural calamities like cyclone and heavy rain often batter the structures and temporary houses in slums. About 162 slums in Brahmapur were devastated by Phailin which made thousands of families homeless. Lack of proper shelter further worsens the condition of the poor by affecting their livelihood, health and security of women, children and elders. The urban poor constitute one-fourth of the total poor of the country and the number has been increasing. House is a fundamental need of human being, but the poor always struggle to get it. The people of lower income group and economically weaker section always struggle to have a house in the absence of land and finance. The land price is very high in urban areas as well as the cost of building materials which is just impossible for an urban poor household with an average income of Rs 5,000 to Rs 10,000.

The Reserve Bank of India (RBI) defines an economically weaker section (EWS), and Lower Income Group (LIG) in the range of Rs 5,000 to Rs 10,000 per month. The Government of Odisha in its scheme for affordable urban housing in 2012 has resolved the income criteria as Rs 7,500 per month for EWS category and between Rs 7,501 to Rs 15,000 per month under LIG category.

The urban population of the State lives in three municipal corporations, 37 municipalities and 63 NACs. About 26 percent of the urban population lives in the three corporations and 50 percent live in municipalities and 24 percent in NACs.

As per Census, 2011, the Bhubaneswar Municipal Corporation (BMC) has a population of more than eight lakhs, out of which more than three lakh people are living in slums. It has 67 wards and 46 revenue villages having homestead landless families. The State Housing and Urban Development department report on urban sanitation strategy, 2011 says 40 per cent of the urban household does not have access to toilets and the situation is worse in slums. Socially disadvantaged groups have poorer access; 67 per cent of SC and 73 per cent of ST households do not have access to toilets. The people from the economically weaker section are mostly self-employed and engaged as service providers in the city. They do the most necessary job every day at the lowest wage in comparison to the others salary groups in the city.

The Safai karmacharies, domestic helpers, people in saloons and laundries, transporters, pavement vendors and many others are part of an urban life. The Safai karmacharies are at the lowest ladder of sanitary management who keep the city clean and healthy. Ambedkar Safai Karmachari Sangha, Bhubaneswar, has a membership of 800 sanitary workers which include sweepers, sweepresses and anti-larva workers who are directly employed by BMC and there are about 5,000 Safai karmacharies engaged by private contractors in sanitary work of the city. Their working conditions, occupational health hazards, safety, working hour, wage, social security issues and housing needs have not been addressed adequately by the urban authority.

Many years back, they had migrated from different areas like Nayagarh, Cuttack, Khurda and Jagatsinghpur to provide service to the urban people and settled here since generations without a permanent house.

They get a daily wage of Rs170 from the BMC. Which has been further reduced due to privatisation At Kedarpalli, PHD and Jharanabasti slums in word no 53, about 7,000 scavenger population has been residing for last fifty years but the land has not been recorded in the name of the inhabitants. They have been living with the threat of eviction. Similarly, in places like Jharapada, Patharbandha, Patia,

Kapileswar, Nayapalli and Sundarpada, the number of sanitary workers living in temporary thatched houses is high. A majority of them are illiterate and engaged in the occupation since generations. They cannot purchase land and construct a house with their minimum income which is also otherwise just insufficient to live a life in the city.

The urban poor cannot compete in the housing market controlled by builders. No bank is willing to lend a housing loan to the poor who cannot mortgage asset or submit a regular income and salary certificate as guaranty. Therefore, they are in need of Government support to build their house for a dignified life.

Right to housing/shelter is a human right as recognised by Universal Declaration of Human Rights (UDHR) and Article 11(1) of International Covenants on Civil, Economic and Socio –cultural Rights. The Constitution speaks about housing rights. Many State Governments have enacted laws in this regard. The National Rights to Homestead Land Bill-1913 is about to be tabled in Parliament. Right to Shelter is a fundamental right, which springs from the Constitutional guarantee of the right to residence contained in Article-19(1) (e) which clearly lays down that one has the right to reside and settle in any part of the territory of India. In PC Gupta V State of Gujarat, a bench of three Judges of Supreme Court held that right to residence and settlement is a fundamental right under Article 19(1) (e) and protection of life guaranteed by Article 21 encompasses within its ambit right to shelter to enjoy a meaningful right to life. Adequate housing is the right of every child, woman and man- everywhere.

Article 25.1 of the Universal Declaration of Human Rights thus proclaims: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

The National Urban Housing and Habitat Policy 2007 made provisions of land reservation of 20 to 25per cent of developed land for the EWS and LIG in urban areas and the national shelter fund to help the poor for the construction of the house. It emphasises on the role of Government in social housing for people lacking affordability and helplessly kept out of the urban land market. It further



emphasises for a special effort to cater to the housing need of the SC, ST, OBC, minority, PWD, slum dwellers, street vendors and other informal sector workers, women headed household, single women, working women and women in difficult circumstances. The policy guideline says that the State Government has to prepare a special action plan for urban poor and socially marginalised groups, who should not be geographically and socially segregated.

The MoHUPA has schemes like Rajiv Awas Yojana (RAY) earlier in the name of Valmiki-Ambedkar Awas Yojana to ensure house for the urban poor in slums and provides them with all basic amenities like drinking water, sanitation and all other facilities by integrating with other urban poverty alleviation and employment generating schemes. This has been implemented in six cities including Bhubaneswar, Brahmapur, Rourkela, Sambalpur, Cuttack and Puri at a very slow pace. In spite of policy guidelines, schemes and programmes, the urban poor has been deprived up their fundamental rights due to lack of administrative and political commitment in the State and absence of organisation of urban poor to raise the issue. In the last general elections, not a single political party had promised anything for urban poor in terms of housing.

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## SANITATION, DRINKING WATER: RURAL ODISHA STILL MOST NEGLECTED

Social and economic development is not possible without basic social infrastructure for human development. Social infrastructure for human need means building a strong foundation of human development towards a dignified life for all. The quality of life, health, hygiene and social environment, largely depend on safe drinking water and proper sanitation. The status of water and sanitation rights of people in rural villages of Odisha shows that these basic human rights have not been realised by a majority of poor people.

Water and sanitation being a State subject, the State Government has not been adequately investing in the sector and also is yet to spell out a water and sanitation policy while the people continue to languish in extreme poverty, landlessness, illiteracy and social discrimination. A recent trend in the State shows that industry, mining and other commercial ventures are being given priority over common people in the use of water sources. While privatisation of drinking water accompanying with increasing pollution of drinking water sources in the State is affecting the poorer section, the Government has been shifting its responsibility to market forces and encouraging public-private-partnership in drinking water and sanitation sector.

This will further deprive the poor of access to safe drinking water and sanitation. The issue of water and sanitation has been a matter of concern and many people's movements and organisations have been raising this along with international human rights bodies, Supreme Court of India and a number of High Courts including Odisha. The Government on different occasions has been reminded of its prime responsibility to ensure drinking water and sanitation for all as a matter of human rights and constitutional guarantee to all its citizens.

The first National Water Policy in 1987 has put emphasis on drinking water supply. Census report 2011 revealed that less than one-fourth of the total households of the State have a water source within their premises and the rest still have to collect water from a distance of half a kilometre. A majority of people in rural areas still depend on open water bodies i.e. river, stream, pond, chua etc. as a source of drinking water. Mostly women and children are being engaged to fetch water for domestic consumption. The natural drinking water sources are

getting polluted due to a number of reasons, including environmental and ecological, which affect the quality of drinking water. Very often it has been reported that water-borne diseases are a major cause of poor health of women and children in rural areas. Many of the Government and private schools, Anganwadi centres (AWC), and a majority of habitations belonging to poor and socially marginalised groups such as SCs and STs and religious minority population in remote rural and tribal areas of the State have no access to safe drinking water and sanitation facility.

In hearing of a PIL in 2011, the Odisha High court gave a direction to the State Government for drinking water provision in AWC, which the latter is yet to comply with. The Union Ministry of Drinking Water and Sanitation in a letter to all Chief Secretaries of States had directed to provide clean drinking water and sanitation facility in all schools across the country in 2012. It asked States to report the status of compliance by June 2014. The Supreme Court observed that inadequate infrastructure such as drinking water and sanitation in schools is a violation of the Right to Free and Compulsory Education of children guaranteed under article 21 of the Constitution. This year sunstroke claimed 22 lives as reported by SRC but the number is much more. In rainy seasons, mostly the people in tribal and coastal areas get affected by water-borne diseases such as diarrhoea, dysentery, jaundice, dengue, malaria, chikungunya and typhoid etc. The diseases take a heavy toll of lives, killing children and women in particular. The flood prone and waterlogging areas have serious drinking water problem. The areas having rocky ground, and fluoride, arsenic, iron, salinity, nitrate and other chemical contaminants in water have serious drinking water problem where the Government should put special effort to ensure safe drinking water for the local people. There are 9,000 such habitations affected by water contamination in the State but their basic problem has remained unaddressed. There are also highly polluted industrial and open cast and underground mining belt in the State, where the local people have been facing serious drinking water crisis. The people of Dalit communities face untouchability while accessing drinking water in multi-caste villages.

Even today thousands of Dalit women in rural villages have to wait at tube wells and wells to collect water in the queue after the turn of caste Hindu women who wash the tube well to avoid pollution by a touch of Dalit women. In spite of civil rights law which says

discrimination-free access to village water bodies and sources of drinking water, many people face social humiliation and indignity in their everyday life to have drinking water. Government data says out of total 85, 600 SC and ST habitations, only 56 per cent of habitations are covered under rural drinking water supply in the State. The ST and PTG habitations in scattered locations and interior pockets face serious drinking water problem. The SCs and STs are also inadequately represented in public bodies to raise the issues and the mining and industries coming up in their locality largely affecting their sources of drinking water. Though the fund is earmarked under SCSP and TSP to spend on drinking water as mandatory but this has not been followed.

India tops in open defecation in the world as reported by WHO and UNICEF. Odisha has a large number of people who are used to open defecation in the absence of proper sanitation facility. Many people wait for late night or early morning to relieve them. This practice has been affecting the privacy and dignity of women in rural villages. The children, sick, elderly people and pregnant women face a lot of problems in the absence of a proper sanitary facility at home. It is unfortunate that a vast majority of people of the State use open space for defecation which is much higher than the national average and highest in comparison to other developed States. Many of the schools and AWCs have no toilet facility. The status of elementary and secondary education in Odisha 2012 report says that about 25 percent of schools in the State have no toilets. A baseline survey in 2012 by Ministry of Drinking Water and Sanitations revealed that about 75 percent AWCs have no toilet. Poor sanitation is a major cause of ill-health, leading to unemployment and poverty in rural villages.

The Ministry of Drinking Water and Sanitation has implemented programmes like Total Sanitation Campaign, Nirmal Gram Puraskar, Nirmal Bharat Abhiyan and National Rural Drinking Water Programme for ensuring safe drinking water and sanitation. Odisha State Water and Sanitation Mission formed in 2002 has been ineffective in reaching to the rural and tribal areas. States like Kerala, Manipur, Tripura, Assam, Punjab and West Bengal have shown much progress in the field of water and sanitation. Use of toilet is very much linked to water supply, so sanitation and drinking water programmes have to be converged along with rural housing and electricity at all level.

Private organisations like Sulabha International with the support of Government are more known for urban sanitation whereas rural sanitation has been neglected in the absence of organised public effort and Government support. The village water supply and sanitation committee should have a major role in ensuring drinking water and sanitation for villages through building village water visioning. 73rd Constitution amendment, 1994, makes provision for assigning the responsibility of ensuring drinking water to Panchayati Raj institutions (PRIs). The PRIs should be empowered with legislation and financial support in building clean villages with water and sanitation.

The poor and marginalised communities should get protection to have discrimination-free access to drinking water and sanitation and the State support in water and sanitation sector should continue till the achievement of the mission of water and sanitation for all.

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## STATE'S POOR MUST GET ACCESS TO SAFE, ADEQUATE WATER

The growing industrialisation and population growth has put much pressure on the use of natural resources such as water. The privatisation and pollution of water sources has seriously impacted the poor in the absence of adequate State protection in form of basic services of water supply.

Water is one of the important non-negotiable basic human needs and remains inaccessible for the majority of poor in the State. As a constitutional mandate in ensuring fundamental rights of the citizens of the State, it is the primary duty of the Government to ensure water supply for drinking, sanitation and other consumption need as a basic service but the Government has failed to discharge its basic commitment to the poor while the sources of water for the poor is increasingly getting inaccessible. It has impacted the poor by restricting their human right to free access to adequate and quality water from natural sources.

A large majority of poor still depend on surface water for survival in the absence of alternative private and Government sources such as ground water and Government supplied pipe water system. Many of them do not have homestead land and finance to invest in getting safe water at their doorstep. It is not that people are not aware about health and sanitation but they lack the minimum opportunity to ensure safe water and sanitation for them. The majority of people in urban slums, rural hamlets and interior parts remain untouched by the basic services of the Government and still depend on the traditional sources of water to meet the end. The safe bottled water is available in the market for the privileged rich who can afford it.

So without State investment, it is just impossible for the poor to get safe water at their household premises. The quality of life is very much linked to the availability of adequate, clean and safe water without which the living condition will not improve. Water is closely linked to sanitation; the non-availability of water at house takes the poor near to surface water sources mostly the river banks, streams, canals and ponds for open defecation and bath.

In spite of strong water pollution laws, the surface water is getting contaminated due to a number of reasons in the absence of proper pollution control mechanism and treatment plan. The people's protest against pollution has never taken place seriously by the Government while the powerful polluters continue with anti-people activities under the protection of the State power. Water pollution affects the poor most as they are mostly dependent on the surface water for their survival. Consumption of polluted water makes them amenable to various kinds of water-borne diseases and they end up in spending a big chunk of their income in health check-up and buying medicine. As usual, their poor ill health affects normal working days and thus income level. The children, elders and women in their family are the worst sufferers as they mostly depend on others to access water.

Studies say more than 20 per cent of the communicable diseases in the country are linked to unsafe water and water-borne diseases such as diarrhoea. Jaundice has been a major cause of concern in the State of late. The recent outbreak of jaundice in several parts like Sambalpur, Kendrapada, Puri, Khurda, Keonjhar, Jajpur, Jharasuguda and Baragarh has been affecting thousands of people. The worst situation in Sambalpur district has claimed more than 20 lives and affected about 3,000 people. It is revealed that the contaminated poor water quality and unhygienic sanitary condition are the major reasons of such man-made disaster which are creating havoc for the urban slum dwellers and people living in villages where the basic services of drinking water supply and sanitation are neglected. It is told that along with ensuring safe drinking water as basic health infrastructure, personal hygiene, open defecation should be curbed to control such epidemics. A number of private studies have established the fact that mining and industrial pollution, urban waste, medical waste and human waste due to open defecation are the major sources of surface water pollution. The water of major rivers like Mahanadi, Brahmani, Baitarani, Subarnarekha, Nagabali and Rusikulya are getting polluted hitting lakhs of families inhabiting on the river banks.

River water still remains the only major source of the rural and urban poor in almost all parts of the State. The river water is also being used by all major cities through pipe connection. The water distribution infrastructure in the cities is in the worst form. The water treatment and waste water management systems are also in disarray. It is fact that almost the water supply pipelines are damaged with linkages and

passes in most cities in the State. The pipe water mixes with filthy drainage systems leading to water contamination.

Consumption of contaminated water results in jaundice. As a part of its jaundice control effort, the district administration in Sambalpur has used tanker and stopped the supply of drinking water through pipelines. But this is just a quick-fix, not a permanent solution.

It is unfortunate that the Government is more serious about the industrialisation by using all opportunities to make water available to the industries and mines. At the same time, no effort has been made to control water pollution and ensure water supply connection for the poor people in the periphery. The water pipe connection project remains non-implemented in the State in spite of the availability of huge funds. The funds remain unspent due to bureaucratic apathy and lack of political concern for the poor. Whenever any unwanted situation arises, the Government has been busy in damage control efforts. Though the Government is aware of the situation, but it is doing nothing for a long term solution of the serious problems.

The State development discourse has not recognised social sector development such as water and sanitation without which the overall economic development will not happen. The economic policy lacks sectoral integration and integrating poor people in the development process. The national rural drinking water programme has targeted to cover minimum 50 per cent households with safe pipe drinking water by 2017 without the barrier of social and financial discrimination. The Odisha water policy 1994 and State water plan 2004 in line with the National water policy has identified rural and urban water supply programme as one of the priority sectors of concern. The National water policy affirms for equity in water distribution and social justice in the allocation of water resources to the different sector. It says the State has to ensure democratic access of people to natural resources for life and livelihood and the monopoly of rich over the use of water should be restricted.

Recently, the Prime Minister has given thrust to water availability in every village and link the local river with the village so that the people have access to safe drinking water and other consumption need.

The villages are also targeted to be defecation free. The integrated water supply plan includes wastewater treatment and recycle plan. The State Government should focus on basic services for the poor,



especially water supply by integrating its rural development plan to ensure water for the poor in the context of water privatisation and water pollution problem. The Government should invest more in providing basic services to the poor by involving the private sector, the PRIs and others concerned to enable the poor get access to adequate and safe water as their basic human rights.

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## PUBLIC DISTRIBUTION SYSTEM FOR STATE'S RURAL POOR NEEDS FINE-TUNING

Food insecurity in Odisha still remains a matter of great concern because of a vast majority of rural poor of venerable sections subjected to extreme poverty and hunger death in spite of targeted public distribution system and supplementary feeding programmes.

The food insecurity issue in the State is historically referred back to the famine of 1866 and the statement made by Gandhi on Odisha's poverty during the freedom struggle and later by Pandit Gopabandhu Das in Bihar-Odisha Assembly. Today after 65 years of independence the issue remains as a challenge before the State.

In recent times, there are a number of studies such as MS Swaminathan Foundation report on food insecurity in rural India, reports of World Bank, UNDP, Odisha Human Development Report, Planning Commission and many more.

They have identified Odisha as one of the severely food insecure States having the highest incidence of chronic poverty. The issues of hunger death and malnourishment in Kalahandi and Kashipur of Rayagada district had hit the headlines in media in the early nineties.

This along with the related issue of child selling has been quite pathetic for the populace constantly reeling under acute poverty and failing to get two square meals per day.

The starvation death of 'Juanga' tribe was also reported along with vulnerability of tribal in Mayurbhanj and Sundergarh in 1990.

The starvation death in poor Dalit families in Jagatsinghpur, Dhenkanal and other parts have drawn the attention of the Supreme Court appointed Special Commissioner on Right to Food in the year 2008.

The Commissioners to the Supreme Court on Right to Food was appointed by two Supreme Court interim orders in the year 2002 and 2003 to monitor the implementation of all orders relating to Right to Food.

The people in remote backward rural, hilly, forested and inaccessible areas and those who belong to socially marginalised sections, SCs, STs, religious minority, PTGs, landless wage labourers, the migrant workers, child labour and distress women, single women, single men without means of livelihood, widows, aged, terminally ill person, orphans, homeless and destitute persons are the large constituents of food insecurity group who are struggling very hard to survive.

The lean period in rural area and during natural calamities, drought and flood it has been extremely difficult for poor families to survive. Though there have been reports of starvation death from almost all parts of the State but particularly the western and north-west, and especially in KBK, remains unchanged with the image of vulnerability with poverty, malnutrition and hunger.

The NHRC sought an explanation from the State Government on the improper implementation of PDS in KBK in 2010 in intervening in the incident of alleged starvation death of 12 children in Nabarangpur and Balangir districts. Many people's movements, political parties, CSOs, media, food rights campaigns and activists in the State have been protesting before the Government and brought the issues before the judiciary.

A number of judicial interventions have been made but nothing substantially has been changed in the State due to lack of political will and bureaucracy's apathy to the most marginalised and vulnerable section of the State.

The Indian council of medical research recommended 370 cereals (460 grams) per day per person as a minimum requirement. Access to adequate quantity of quality food is a basic human right recognised by Universal Declaration of Human Rights and in all international conventions.

The Constitution of India gives a guarantee of basic rights to all its citizens including rights to food in Article 21. The National Food Security Act, 2013 is to provide food and nutritional security in human life cycle approach by ensuring access to adequate quantity of quality food at affordable prices to the people to live a life with dignity.

With the objectives to ensure food security, the targeted Public Distribution System (PDS) and supplementary feeding programme through ICDS and Mid-Day Meal (MDM) have been in operation by

the Central and State Government and also with involvement of agencies like World Bank, CARE, UNICEF and WFP to make available minimum food need of the poor and vulnerable household under the category of BPL and AAY. Odisha has about 38 lakh BPL, 30 lakh APL and 10 lakh AAY households who have been issued ration cards to get rice, wheat, sugar and kerosene from about 25,000 fair price shops/retail shops run by private dealers and self-help groups in rural areas and on an average there are about 300 card holders per shops.

The Ministry of Food and Consumer Affairs and Food and Public distribution and State Department of Food Supply and Consumer Welfare are responsible to administer the programme and manage procurement, storage and distribution by enforcing Acts like Essential Commodities Act, 1955 and Prevention of Black-marketing and Maintenance of Services of Essential Commodities Act 1980, Standard of Weights and Measure Enforcement Act, 1985 and Odisha Public Distribution System Control Order, 2008.

The States like Kerala and Tamil Nadu have very successfully managed PDS and served the purpose in reaching to the people in need. The shops in Kerala are managed efficiently and there is no private fair shop in Tamil Nadu.

The PDS in Tamil Nadu has been managed by cooperatives, panchayats and self-help groups, but in Odisha, the PDS system is still under the dominant control of private dealers those are mostly local politicians of ruling parties.

Though very late, the Government has allowed women self-help groups in a small way. Indian Institute of Public Administration in its report on PDS suggest to ensure political will for the implementation of the PDS and further suggested for financial support to women SHGs to improve the delivery system.

It has been always told that the BPL list is not correct and existence of inclusion and exclusion errors in identification though there is provision that Gramasabha has to review every year for the deletion of ineligible families and addition of eligible but left out families and elimination of fake cards as per provision of the Odisha PDS Control Order 2008.

It is also said that the residence of forest village without a record of rights over the habitation should be issued the card and landless,

homeless and destitute persons should be issued cards, who are without having a permanent address.

There is also a lack of adequate fair price shops in the State, particularly in inaccessible remote tribal areas, ITDP and DPAP blocks where about 90 mobile vans are being used to reach to the beneficiaries.

The monitoring mechanisms are not being carried out by the statutory committee at retailer's level, block, district and State level to promote transparency and accountability of the authorities through promoting vigilance and public participation.

In all these committees though there is a provision of involvement of women, SCs and STs, Consumer forums and Civil Society Organizations but very few members of the committee know about their roles and responsibilities because mostly the local MLAs are the chairman of the block committee, controlling the whole process through his nominees at the retail level.

While giving importance to access to productive assets and livelihood opportunities to the poor, the PDS carries much importance in the context to ensuring food security of the vulnerable households in Odisha where a vast majority depends on the public support system.

Therefore the PDS system needs to be improved in terms of inclusiveness and by ensuring discrimination-free access without any limitation.

The beneficiaries who are mostly poor SCs and STs need to be encouraged to manage the system by promoting cooperatives and self-help groups among them with adequate training and financial support and relaxing the eligibility criteria for appointment of dealers laid down in Odisha PDS control order 2008.

This will ensure larger participation of people to avoid hegemonic control of private dealers with political and administrative backing and democratise the public distribution system in the State.

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## GOVERNMENT APPROACH MUST BE BROAD, INCLUSIVE

The Government of Odisha is going to implement a food security programme under the National Food Security Act, 2013(NFSA) in phased manner by July 2015.

The NFSA speaks about access to adequate quantity of quality food as food and nutritional security to the people to live a life with dignity. The beneficiary selection has been a major challenge with the Government with increasing demand for inclusion of more numbers of households under different categories available in the State.

Along with food distribution, Article- 31, Scheduled-III, of the NFSA gives thrust on the revitalization of agriculture by Central, State and local authorities to ensure food and nutritional security. It has been identified to bring agrarian reforms in the interest of small and marginal farmers as one of the most important steps along with other supports to increase food production in the direction of food security.

This provision is quite relevant for Odisha with huge poverty and having a large presence of small and marginal farmers who constitute about 83 percent of the total farming community. The current trends in the State witness a process of alienation of resources such as land water and forest which are important as well as a sustainable source of food security of the people in rural area.

The economic policy of the Government has been largely alienating people from resources, privatising resources and commoditising resources of livelihood for profit by the corporate sector.

The essential food items have been slowly getting into the control of corporate and the State distribution system is limiting its role only to vulnerable groups and leaving a large majority of people in distress. Land and water resources are diverted for non-agricultural use at an alarming rate which is a matter of concern in the context of food security. The State policy has been very arbitrarily facilitating the process to make people asset-less and on the other side, propagating food distribution programme for few vulnerable groups as food security.

The private corporate and business houses are allowed to take over the food market under the garb of Government control. There has been very little effort taken by the State to use the available land, water and human resources to increase the food production. Odisha's dependency on neighbouring States for food items, fruits, vegetables, potato, onion, milk, fish, egg, wheat and meat product has been continuing.

The major agricultural land of the State remain unutilised due to the frequent visit of flood and drought and a major part has the problem of salinity, acidity, water logging. There are three lakh hectares of water logging area and four lakh hectares of land with salinity along with huge mining and industrial wasteland without treatment.

The situation of vulnerable groups in rural areas is very frequently reported in media and also appearing in different study reports of the Government and non-Government organisations and international agencies are showing a disturbing picture with news of child selling for food, starvation deaths, and malnutrition of women, children, and food scarcity of people with disability, elderly people and people in remote rural and forest areas. Odisha still lags behind the national average in all nutrition based indicators and shows a very slow progress in comparison to other States.

The price of food items and vegetables has been consistently increasing in the market with dominating role of black marketers and hoarders during a difficult situation. Food adulteration without enforcement of laws against the culprit has become a characteristic with State. The quality of rice, dal and flattened rice provided under Government schemes such as ICDS, MDM and PDS is always a matter of public complaint.

The public concerns and complaints are just undermined by the department concerned without any strong action against the people involved. There has been a complaint of discrimination against people with social disability and other excluded groups while accessing food under different Government schemes. The bureaucratic control and faty selection process have been depriving many genuine beneficiaries of food. The charity programmes implemented by the Government and propagated by international agencies and NGOs in the name of rights and entitlements for the poor have been very much helpful for the vote politics of ruling parties of a poor State.

Odisha has to be self-sufficient in food production by utilisation of its land, water and human resources without depending on others. The State has about 42 percent of the total area as cultivable land and it has been decreasing with the continuous diversion of agriculture land for non-agricultural purposes due to industrialisation, mining and other projects.

It has been experienced that the small patch of land attached to poor families in rural villages is the main source of food security.

Without depending on Government or market forces for food, the rural poor should be encouraged to produce basic food items like rice, wheat, milk, egg, fish, meat, vegetables at the local level. The food production at family level can be encouraged by the Government with plantation of trees like Sajana (drumstick tree), papaya, banana, coconut, and other seasonal vegetables, small poultry, dairy farms in their backyard which can bring both food security and solve the nutritional problem in rural villages among poor women and children.

The employment generating schemes like MGNREGS can be linked to the process of food production with land development and capital investment on irrigation and such other facilities like crop insurance, fair price to agro products, complimentary to agriculture development. The Panchayati Raj, Revenue and Agriculture departments have enough resources to make a joint plan to improve the food production of the State.

But it is unfortunate that lakhs of rural poor families, landless agricultural workers, small and marginal farmers are getting detached from food production and are being forced to depend on Government charity and they are not being provided with productive assets for food production. The land, water and human resources remain unutilised.

The uneven land ownership pattern has been seriously affecting the agriculture production of the State. Historically land distribution and land settlement in are being diluted in the interest of land-owning feudal class and by manipulating the law and managing the bureaucracy. The communities engaged in agriculture production have a very insignificant presence in land ownership. The post independent land reform programme has not created the desired impact in changing the land ownership pattern and land holding pattern in the State.



Land should be available to each household, community, women self-help group, cooperatives of small and marginal farmers and landless agricultural workers in rural areas with all other required support to increase food production. Women farmers should be encouraged with land and the production may be linked to the need of local consumption by ICDS, Anganwadi, MDM in schools and ration for the elderly and disabled of the Panchayat.

Along with land reform as central to food security, the State Government should prohibit unwarranted diversion of land and water for non-agricultural use. There should be access of rural poor to safe and adequate drinking water, sanitation, and health and education facilities, an adequate position for elderly people, and people with a disability which will compliment to strengthen food security in rural areas.

Along with prevention of hoarding and black marketing of essential commodities and control of the increasing price of essential food grains and vegetables, the State must develop a broad base plan of its own to ensure food security by making itself food sufficient and go beyond the debate of beneficiary selection under different criteria and the process of exclusion and inclusion.

The right to food should have provisions for universal access and wider reach of the majority of people and it should be integrated with several related schemes to increase food production by rural household. The NFSA should be implemented in letter and spirit covering all its provisions and not just food distribution to a few.

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## GOVERNMENT INTERVENTION IN HEALTHCARE FAR FROM BEING ADEQUATE

Health is a non-negotiable human right which is essential for the realisation of basic human needs for a dignified life. With increasing privatisation of health sector and involvement of insurance companies, a growing inequality in access to healthcare is increasingly felt.

The poor often remain at the receiving end. Privatisation of health sector has come as a challenge to the right to health and the constitutional guaranty of health as a fundamental right of every citizen of the country.

The State Government needs to intervene with affirmative action to ensure equity in health service with public healthcare programmes and ensure space for the poor within the expanding private sector. The State's investment in the health sector should continue in the interest of the marginalised poor with more budgetary allocations.

Admittedly the State Government has failed to ensure the primary healthcare for all in the backward regions and for people of disadvantageous groups like people in BPL, SCs, STs, women and children. The infant mortality rate (IMR) of Odisha is still highest in India and in many of the health indicators like the population to bed ratio, the prevalence of serious communicable diseases and maternal mortality rate (MMR) the State lags behind all-India averages. Odisha, Bihar, MP, Rajasthan and UP have 60 per cent of child death in India.

It shows that the poor health status is very much linked to the socio-economic condition of the people. The IMR is higher among SCs and STs residing in backward and tribal areas of the State. Many of the health study reports revealed that chronic energy deficiency among the tribals is higher and they suffer more from malaria, tuberculosis, sexually transmitted diseases, genetic disorder, sickle cell, anaemia and nutritional deficiency diseases in comparison to other social groups.

Many of the well-designed schemes like Pradhan Mantri Swasta Surakshya Yojana, Rashtriya Arogya Nidhi, State illness assistance fund, Swasta Bima, National vector-borne disease control programme etc. have not yet properly been grounded and reached to the people in

backward areas and marginalised social groups. The budgetary allocation of the State for health has been consistently low. The death of pregnant women and children, undernutrition, diarrhoea, malaria, dengue and skin diseases is high and widespread in the tribal and backward regions. The water and air pollution in mining and industrial areas has been contributing to a poor health status.

The poor people in mining and industrial areas of Keonjhar, Jajpur and Angul are suffering from vector-borne diseases like dengue, malaria and chikungunya etc. The diseases have affected thousands of people and many people died without proper treatment locally. The residential schools of SC and ST children are in the regular news for the death of children due to malaria, diarrhoea and food poisoning etc. The Agawanbadi centres for children of mining and industrial workers also lack basic healthcare. The Health Department has made no effort to serve the institutions having poor children. The related departments like ST and SC Development, WCD and Health have no collective effort to address the health issues of vulnerable groups in remote and critical areas.

The commitments shown in the National Health Policy 2002, Millennium Development Goal (MDG), Planning Commission's plans and State health vision have not yet been translated into reality. Rather, health service became a commodity in the market with a fairer access for those who can buy it.

It is very important in Odisha to invest more on basic services sector like health. The health of the majority of the people is linked to employment and growth of the domestic production in a primary sector where mostly poor people are engaged in large number as seasonal workers with a low wage. They are prone to unemployment, migration and food insecurity and thus lack minimum access to healthcare. Historically for the last sixty years, the State involvement in the health sector has been urban centred and limited to the employees of organised sectors and public sector. Many of the hospitals run by private and public sector companies are restricting their services to their employees without any benefit to the local poor there while these companies are polluting the local environment. The backward areas of Odisha have not been provided with adequate health infrastructure. The people in remote and rural areas, SCs and STs and families below poverty line always have a less share in State sponsored health services because of their vulnerability and minimal

access. The doctors are not willing to stay in remote tribal areas for a number of reasons and very few doctors have shown the commitment to serve the poor in remote areas.

There is no specific law relating to the provisions of healthcare of SCs and STs. The Health department should spend as per the prescribed provisions of tribal sub plan and scheduled caste sub plan for the healthcare of the SCs and STs and funds available for backward region development should have a priority on spending on healthcare.

The Accredited Social Health Activists (ASHA), Auxiliary Nurse Midwives (ANM), village health and sanitation committee (VHSC) and Rogi Kalyan Samiti are village level institutions operating under the National Rural Health Mission. The primary healthcare system in remote areas needs to be improved to provide service to the people. The number of PHC with adequate health personnel, medicine, equipment and infrastructure should be made available under different schemes and programme so that the access of the poor to healthcare can be ensured.

The State should encourage doctors with additional benefits while they are serving in inaccessible areas with all kinds of risk. It is also important to promote more number of health related personnel from among Adivasis, Dalits, women and children in remote areas like KBK to serve the local people.

There is a lack of disaggregated data on health status of SCs and STs to know the status and plan and monitor the health programmes and its impact on vulnerable groups in order to ensure equity in health service.

The health infrastructure needs to be upgraded both qualitatively and quantitatively in remote tribal areas by utilising the TSP and SCSP funds. The Government must build special hospitals in the KBK region at par with hospitals in the capital cities to provide health service to the people in the region by mobilising resources from different sources. The mining and other companies who have been operating in the region for a long time should pay back to the local people by investing in public health.

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## VILLAGE ROADS NEED PRIORITY FOR RURAL GROWTH SCHEMES

Rural connectivity in way of all-weather roads is vital to the socio-economic development of the villagers. Road as an essential public asset contributes to minimising extreme poverty and improving the quality of life through improving rural communities' access to basic rural infrastructure and amenities like safe drinking water, electrification, sanitation, hygiene, hospital, education and market.

The village linking road is a basic infrastructure of human habitation used by all members of the community which is very much required for the overall development of the village. Rural Odisha has been facing serious communication problem in the absence of all-weather village linking road in many backward parts, hilly, tribal and coastal areas of the State. It has been evident that mostly a majority of the habitations of marginalised groups, Dalits and Adivasis' hamlets located at the end of the village. There are such hamlets surrounded by the paddy fields, interior forests and hilly areas and coastal water logging areas which are not being connected with all-weather roads. The people living in such habitations without all-weather linking road have been suffering a lot, especially in the rainy seasons with extremely difficulties to go out of home. The children, elderly people, PWD, women and sick are the worst sufferers in their day-to-day life. These families are almost house arrested due to water-logging and managing cattle population is a difficult task for them. The children cannot go to school and pregnant women and sick people reach hospitals with lots of difficulties. There are villages in coastal districts where people have to use boat made of banana stalks to go out of habitation in the rainy season. Many of the habitations are using thin field divider patch (locally called it Hida) as the only route of communication to the village.

Bilasahi is a hamlet of 60 poor Dalit families under Bari block of Jajpur district where people in rainy days take recourse to Kadalivela (made of thick banana stalks) to tide over the main road which is about half a km. They are in a hazardous condition due to poor sanitation during the rainy days. 15 Dalit families of Chandakuda hamlet under Dasarathpur block of Jajpur district are also facing the same problem due to non-availability of linking road. They have to walk one and a half km through agriculture fields and cross a small

river to reach the main road. About 15 km from the State capital, having 35 Dalit families residing at Rajasa Mathasahi hamlet under Balipatana tehsil of Khurda district is situated at the last portion of the village having no communication facility. The people in the hamlet have to walk about half a km to reach the main road of the village. These hamlets are covered with the agricultural land of dominant people from all sides. The people are using the land embankment as the path for their communication. They have to depend on the willingness of landlord. The land owners are not usually allowing the people to trespass through their land. A serious patient cannot be shifted to the village main road as no vehicle is able to enter into the hamlet.

Goods cannot be transported to/from the hamlet which also affects the development of other social infrastructure of the hamlet. The people in these hamlets faced many difficulties during the rainy season. They have to face very hazardous situation to carry a dead body into the cremation ground. They have to maintain their life like prisoners without having access to the other world. There are many coastal villages and islands surrounded by rivers which remain disconnected from the main road where people use the boat and traditional ways to go out which causes a number of accidents taking a heavy toll of life and loss of property.

In tribal and hilly areas, people have to carry the patient with traditional carriers to reach hospitals in case of urgency. There are hundreds of such villages in the State, where people use the traditional foot walk route for their day-to-day communication to the main road and access to educational institutions, hospital, market and Government offices which take much of their time and deprive them of the process of development.

There are habitations which are not being declared as revenue villages without a linking road in revenue map of the area and people use the common land as communication route to the habitations which are not getting approved by Panchayats to build all-weather road. The Dalit and Adivasi hamlets and small habitations existing since generations are not being provided with basic infrastructures like linking-road in spite of repeated request by people to the local administration. There is a lack of coordination among Revenue and Panchayati Raj institutions in building linking roads to these Dalit and Adivasi hamlets. As a majority of the rural habitations are coming up

in caste and community line and people from different caste groups form a village but it has been very often reported that the village linking roads are not being inclusive of all caste groups and in many of the villages, the linking road ends at hamlet of dominant caste and not reaching to the end of the village where the habitation of marginalised groups such as Dalit and Adivasi basties are located.

The poor and illiterate people are unaware of their basic human rights to free access and fail to put pressure on local governance to get a linking road for their hamlet. There is a provision that the Revenue department should provide a linking road to every habitation and along with support from Rural Development Department, the Panchayati Raj institutions should use the Scheduled Caste Sub Plan (SCSP) and Tribal Sub Plan (TSP) fund to connect all Dalit and Adivasi hamlets with roads. Studies by the Planning Commission and International Food Policy Research Institute established that poor road connectivity has a high correlation with high level of poor standard of living, poor health, illiteracy, unemployment, migration and poverty. The States having poor connectivity and high incidence of poverty includes Odisha, Bihar and Jharkhand. Odisha is the 21st ranked in un-connectivity rank, Bihar is 23rd and Jharkhand is 28th in the country.

The States like Haryana, Punjab, Tamil Nadu, Karnataka, Goa and AP have exhibited high rural road connectivity in the country. The Pradhan Mantri Gram Sadak Yojana (PMGSY) launched in 2000 by the Union Ministry of Rural Development is meant to provide connectivity in way of all-weather roads to all habitations in the country. The State Panchayati Raj Department has launched Gopabandhu Gramin Yojana (GGY) in 2006 as additional assistance to districts not covered under the Backward Region Grant Fund (BRGF) where rural connectivity, intra-village and inter-village, has got top priority with an allocation of 60 percent of the total fund for the road sector. The construction of cement and concrete (CC) road inside the village with drainage facility has been given emphasis and in case of there is no need of CC road inside the village, the approach/link road from the main road can also be developed. The financial institutions like Asian Development Bank, World Bank and NABARD are being involved in road sector along with the Government to develop rural connectivity. Indian Road Congress, the standard setting body for roads in India, has recommended for the use of industrial waste in the construction of the rural road by fly ash, iron

and steel slag and other industrial waste available in Odisha. The other rural development and employment generating programmes like MGNREGA should be integrated with developing rural roads. Odisha being a poor State with a high incidence of poverty of large rural population and large presence of SCs and STs should improve its rural road connectivity. Taking all the advantage of the Central Government schemes and funds of financial institutions, the State Government has to build a comprehensive long-term plan in the light of rural road development plan vision 2015 for Odisha and implement it with true spirit by empowering and fully involving the PRI institutions with finance, power and responsibility. This will contribute to eradicating poverty and ensure quality of life of rural people and lead to inclusive development with reducing the rural and urban gap in the State.

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## ODISHA YET TO ACHIEVE COMPLETE RURAL ELECTRIFICATION

Access to clean, efficient and safe sources of energy by every household is needed to ensure development. Electricity is a part of modern day life and one of the important factors of production. Though it is produced by use of natural resources like coal, water, wind and solar power and mostly by the investment of the State, yet it has not reached to the poorer sections in rural Odisha.

The rural poor's access to electricity is a matter of concern in the context of the development of the State. The inclusive development effort of the State should integrate with access to energy for the eradication of poverty and rural infrastructural development. It will modernise rural technology, boost education, generate employment and improve rural sanitation and water supply by contributing to improving the quality of life.

The current status of the State shows an increase in State's total consumption of power by 115 per cent during last ten years. But it has not been able to mitigate the rural and urban disparity in power consumption. The backward districts and poorer households remain deprived of getting access to electricity in spite of investment by both the Central and State Governments. With increasing demand for power for commercial use, the Government should ensure that the poor in backward regions are not deprived of their basic rights. These are the people whose land is acquired for the power plants and after the power plants are established, none but these people have to bear the brunt of pollution and other related problems. While the State is providing power to corporate houses in subsidised rate and is allocating coal blocks for captive use, the poor remain unattended in the name of development.

The Electricity Act, 2003 and National Electricity Policy, 2005 have given thrust on rural electrification, recognising electricity as basic human need and fundamental to socio-economic development. It has paved the way for increasing the role of private sector. In line with the Central Government, Odisha is also very well facilitating privatisation in the power sector. The State investment in the energy sector has increased over the years with nine per cent of the total State plan going to the expenditure of power and renewable energy.

The Odisha Hydro Power Corporation (OHPC) has hydroelectric projects at Upper Indrabati, Mukhiguda, Burla, Balimela, Chipilima, Rengali, Upper Colab and Machhakund etc. It contributes more than half of the power supply and earned a profit of Rs77crore in 2011-12. It has entered into business with Kerala State Electricity Board, Gujarat Power Corporation and formed Odisha Thermal Power Corporation along with Odisha Mining Corporation to set up thermal power plants.

The Odisha Power Generation Corporation (OPGC) is jointly managed by the State Government and AES, a private USA company. The corporation paid a dividend of Rs1, 205 crores to its shareholders out of which the State Government received Rs648 crore in 2012. Odisha having one-fourth of the coal reserve of the country in IB valley and Talcher will encourage a number of thermal power plants as planned to be setup in the process. There are 32 major industries having captive power plants in the State. But how these developments in hydropower and thermal power in the State are going to meet the need of the rural poor in the State? Unless the poor farmers, SCs and STs and BPL families in villages who have been left out in the energy sector for long feature in the State's development, the so-called growth has no meaning.

It is observed by the International Energy Agency (IEA) that mostly the people in poorer countries having more population like South Asia and Africa, have very less access to electricity though electricity has a major role to play in the overall economic development. The per capita electricity consumption in India is very less which is around 734kwh whereas it is 2,782 kwh globally and 2,471 kwh in China. Odisha lags behind the national average. As a poor State, access to electricity for all will change the quality of life through utilisation of modern household appliances, basic lighting, cooking, lifting water, running cottage and household industries besides boosting production in agriculture and agro-based industries in the villages. It can reduce stress on women engaged in cooking and can devote more time for other productive engagement in household work. It is useful for small and marginal farmers and families engaged in vegetable cultivation in their backyard.

Electricity provision is also a basic need for public institutions such as schools, hospitals, public places such as markets, Panchayat offices, ANM and Anganwadi centres. It has been revealed in the Census 2011 report that only nine States including Kerala, Tamil Nadu, Punjab,

Goa, Delhi, Haryana, Andhra Pradesh, Sikkim, and Karnataka in India have 100 per cent electrified villages and four States including Odisha, Arunachal Pradesh, Tripura and Nagaland have covered only 70 to 80 percent of the villages. The poor and backward districts having large STs and SCs such as Malkangiri, Nabarangapur, Koraput, Boudh, Rayagada, Kandhamal, Kalahandi, Ganjam and Gajapati have been not fully electrified. The districts of Jharsuguda, Nuapada and Sonepur have achieved 100 per cent electrification whereas Koraput and Rayagada have the highest number of villages to be provided electricity connection. Malkangiri has the lowest 24 per cent electricity coverage.

The rural consumers consume very less electricity in comparison to urban consumers, who are quantitatively very less in number than the rural consumers. More than 80 percent of the households uses firewood, dung, kerosene and very a few use LPG for cooking and lighting purposes. In spite of subsidy by the Government through PDS, the use of kerosene has been discouraged due to its impact on the environment and human health.

The supply of kerosene through PDS does not properly reach to the poor rather subsidised kerosene goes to the rich people in the village. Many of the prosperous States like Punjab and Haryana use very less kerosene. Studies established that the electricity in rural areas has disproportionately benefited the land owning farmers and the landless poor wage labourers get very less.

The Rural Electrification Corporation Limited (REC) under the Union Ministry of Power was set up in 1969 to finance and promote rural electrification projects all over the country through State electricity board and rural electric cooperatives. Kutir Jyoti launched in 1988 is a single point connection programme for the BPL families where the Government has to bear the entire cost of service connection and internal wiring.

The Rajiv Gandhi Grameen Vidyutkaran Yojana (RGGVY) was launched in 2005 to reach to all the villages having a population of one hundred. It has targeted about 33lakh BPL households of the State. The implementing agencies are NESCL, NHPC and PGCIL. Remote Village Electrification Programme (RVEP) started with the objective to reach all the households including SC and ST hamlets and BPL households where grid connectivity is neither feasible nor cost

effective through non-conventional energy sources. The OREDA has been exploring the possibility of renewable and alternative energy in the State. National Biogas and Manure Management Programme is encouraging rural households to use biogas for cooking and lighting purpose. There have been efforts for the use of the wind and solar power in the State as well. The Biju Grama Jyoti Yojana has been initiated in 2007-2008 by the State Government to reach to the villages which are not covered by the RGGVY and also provision has been made under the Biju KBK to include electrification. The State Economic Survey 2012-13 reports that the State Government has signed a MoU with the Centre and committed to electrifying each household by 2012 with a monitoring committee for the purpose but till date it has not been able to fulfil the target. However, in spite of the multitudinous rural electrification programmes by the Centre and the State, still the poor people in interior parts, inlands and rural areas mostly the PTGs, Dalit Basti and habitations in isolated locations have not being connected with electricity. The rural people are facing the problem of low voltage and frequent interruptions in power supply along with the poor quality of management by the staff of the electricity department.

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## HIGH TIME ODISHA DREW LONG-TERM DISASTER MANAGEMENT PLAN

The people of Odisha have been very frequently facing disasters such as drought, flood and cyclone impacting the State's overall development. The poor bear the brunt of it who are more prone to vulnerability in such situation. The effectiveness and commitment of the Government in managing disaster through rescue and relief operation should be extended in integrating disaster management concerns in the overall development perspective of the State as it is prone to tropical cyclones, tsunami, high wind, heavy rainfall, storm and a large part of the State comes under earthquake risk zone along with flood, river erosion and seasonal drought. The disasters are continuously affecting the agriculture growth which is the main stake of the poor people of the State. It disturbed food production, normal life and quality of living even though the cost of living in rural Odisha is one of the lowest in the country. While large numbers of industries are coming up in coastal districts along with ports, the ecology and life of people is a matter of concern in the context of disasters that are routinely visiting people with a negative cost.

The cyclone mostly affects the coastal population in May–June and October–November every year. The State Government claims to be launching the most successful rescue operation. But there seems its responsibility to cease. It again braces up for another round of cyclone. What is disappointing is the State Government has very limited involvement in building long-term solutions to minimise and manage disaster as it shows from the past action during Phailin, flood and now Hudhud. In the context of recent Hudhud, the SRC claimed evacuation of one and a half lakhs people and cooked food provided at 1,690 cyclone shelters in nine districts with maximum in Gajapati, followed by Ganjam and Koraput.

The National Disaster Policy 2009 says there should be community-based disaster preparedness and youth and women should be encouraged along with media and CSOs to promote voluntarism in managing disaster but it has been evident that the involvement of the community, Panchayati Raj Institutions (PRIs), civil society and other stakeholders in the process of disaster management has not been encouraged by the State Government.

There has been an impression that the Government officials are capable enough to manage everything without much public involvement. The Government machinery and few unaccountable media have created panic among public by quoting the prediction report of weather department/IMD and by that the black marketers and dishonest businessmen took the advantage of the situation by cheating people through artificial hoarding of essential community which has been a major financial burden for wage earners of fixed income groups who are not getting any dearness allowances.

It is always the poor in coastal areas, slum dwellers, homeless and inhabitants of interior pockets, fisher folk, Dalits and Adivasis who are worst sufferers and always prone to suffering during disasters of any nature due to lack of adequate coping mechanism. The human causality happened with mostly the poor who are homeless and staying in thatched houses. The last Hudhud claimed three lives due to fall of the wall of mud houses and collapsed of mud houses due to heavy rain in districts of Koraput, Ganjam, Gajapati, Malkanagiri, Kendrapada and Puri. The tribal people in these districts have suffered a lot. The more vulnerable primitive tribal such as Bonda and others in remote areas of backward districts got disturbed with loss of livelihood due to wind and heavy rainfall.

Udayanath Sahu (45) of Sidheswar village in Digapahandi block, Ganjam district who died in wall collapse was a poor homeless who had lost everything in last Phailin and was unable to repair his house due to lack of support of the Government. A fisherman in Puri died when he was hit by a fishing boat. The rescue operation by local Government officials of Rajnagar block at Satabhaya claimed lives of two children of innocent poor families while they were shifted to cyclone shelter by crossing a river using a country boat. Mostly the elder, pregnant women and children seriously got affected and hospitalised. Hemanta Mallick and Puja Mallik lost their life due to careless attitude of the local administration in handling the operation without concern for safety and security of the people. There has been a lack of fair weather road and the use of the traditional country boat for evacuation shows nothing changed in terms of communication and use of technology while managing the disaster. The administration handled the rescue operation in a mechanical way without the involvement of the community and local youth but it is evident that it is the local youths with the spirit of sacrifice and voluntarism who saved many people in crisis. Sahadev Samal (36) of Rajnagar worked

as a plumber in Kerala. He died of pneumonia by engaging himself in saving the drowning people after spending several hours in water.

There has been inadequate public infrastructure in disaster prone areas in terms of communication such as linking roads, transportation facility and connectivity. There are multipurpose cyclone shelters but there have been no effort to build pucca houses under different housing schemes for very ones in cyclone prone areas especially for the landless poor people who cannot afford to build a house and the housing policy should be integrated to address the concern of disaster management to build disaster resilient houses and habitations.

The Eastern Ghat hills acted as a natural barrier to control Hudhud. There must be an effort by the Government to create mangrove forest patch in the coast from Digha to Gopalpur to resist the cyclone along with building a coastal highway linking Vizag with Digha. The cyclone prone coastal district like Kedrapada is still not being linked with railway line and adequate communication facility.

The Centre has enacted the Disaster Management Act 2005 and created National Disaster Management Authority headed by the Prime Minister along with the National Policy on Disaster Management 2009 to advance a process of prevention, preparedness and mitigation. In line with the Centre, the State Disaster Management Authority headed by the Chief Minister and the District Disaster Management Authority headed by the district Collector have been formed but the policy, institutional and legal arrangements are not being translated into a programme. The State Disaster Management Authority is under the administrative control of Revenue department since 1999 just after the Super Cyclone which claimed about ten thousand life.

The role of the State should not be reduced to a charity organisation by limiting its involvement in rescue and relief operation and seeking a grant from Centre and international agencies. Odisha which has been prone to disaster should have a vision with defined policy in line with a national and international strategy for disaster reduction. The State investment should be more in building long term ecologically sustainable public assets in disaster-prone areas while developing the marginalised sections that are more vulnerable in such situation.

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## CHAPTER-B

# STRENGTHING INCLUSIVE GOVERNANCE



## NEEDED: ELECTORAL REFORMS FOR INCLUSIVE PARTICIPATION

Democracy is people's power and a way of governance represented by people through elections. During last sixty-five years of its application in India, the people's representatives to Lok Sabha and State Assemblies in the largest democracy of the world have been experiencing huge non-representation of a large majority of voters and the rule of minority Government in terms of percentage of votes.

The recent 2014 election results both at the Centre and in a few States have forced many parties to seriously review the present electoral system and look for alternatives. The elections witness a huge amount of money being spent in campaigns to purchase votes and manage the elections with the engagement of police and paramilitary forces.

It is evident that there is a huge disparity between the percentage of votes polled and seats secured by a party. There is no proportionality between the votes and the seats that a party gains.

The national parties like Congress (19.3 percent) and BSP's (4.1 percent) voting percentage are not converted into seats in Parliament and Assemblies. The BJP with 31 per cent of the total polling got 282 seats which is 51.9 percent of the total seats. The BJD in Odisha with 1.7 percent of the total votes of the total national polling got 20 seats in Lok Sabha whereas DMK of Tamil Nadu with the same percentage of votes has no seat.

BJD with 43.2 percent of the votes in the State has occupied more than 80 percent of the total seats in State Assembly. The parties like BSP, CPI and CPI (M) though have been getting votes in the State but not being represented in the Assembly proportionally. The BSP in Uttar Pradesh having 19.9 percent of vote of the State total polling has failed to gain even a single seat in the Parliament and got very poor representation in the State Assembly.

It was also in 2012 the Samajwadi party with 29 per cent votes took 55 percent of the seats in the State Assembly but the BSP with 23 per cent of votes failed to get the same proportion of seats.

JM Lyngdoh, former Chief Election Commissioner of India, during his tenure, observed that there are candidates who win with less than 25

percent of the votes polled in a contest of 50 per cent polling as is usual. Virtually 75 percent of the electorate is unrepresented. Media reports reveal that most of the candidates use all the unfair means to get votes in a cutthroat competition in spite of legal restrictions and monitoring by the Election Commission over the use of money, muscle, caste and religious deives to mobilise votes in a multicultural and caste divided society like India.

It is exhibited that the priority for parties is to gain elections, not the issues of the people of the country. Many of the small parties and minority parties are being marginalised without being represented in governance in spite of their mass base and votes.

As per the Election Commission sources, there are about 464 political parties in the country and 34 political parties in Odisha have contested the 2014 general elections. But the diversity has not been reflected in the Government.

The parties include six national parties, three State parties and 419 unrecognised parties. As an alternative to first past the post (FPTP) there has been a proposal by many for Proportional Representation (PR) system for India.

This system is already in practice in electing Rajya Sabha members, President and Vice President of India. Historically, it was Kazi Syed Karimuddin and Mahboob Ali Beigh Bahadur of the Indian Muslim League who argued for proportional representation system for India in the constituent Assembly though the proposal was not accepted by Dr BR Ambedkar on the ground of presence of a large number of illiterate voters in those days with only 15 percent literacy rate. Later on in 1955 Dr Ambedkar suggested for PR system as a best suitable alternative to separate electorate for Dalits as reparation to Poona Pact of 1932.

Jawaharlal Nehru also had asserted for PR as suitable for India. Later, Jayaprakash Narayan in 1974 appointed Justice Tarkunde Committee to look into electoral reforms and PR system was recommended by him for the country by then. Further, Indrajeet Gupta Committee report in the Parliament and in 1999 the National Law Commission of India had made a review of the electoral system of the country and suggested PR system for India.

There are a number of political parties like CPI, CPI (M), DMK, Siromani Akali Dal(SAD), Samajwadi Jana Parisad and civil society campaigns such as Campaign for Electoral Reforms in India (CERI) led by scholar-activist MC Raj who did extensive research on electoral systems and wrote a book on it prescribing PR for India and advocating PR system in India.

It has been suggested for Mixed Member Proportional (MMP) representation system with thirty and seventy percentage of seat division between FPTP and PR for India.

It has been further argued that PR system will not allow wastage of votes, resolve corruption and violence and lead to inclusive governance with a representation of all sections of people including Dalit, Adivasi, minorities and women of the country who are not being adequately represented in our governance in spite of coalition politics.

The Muslims of the country who represent about 15 percent of the total population have only 22 members in the Parliament. Similarly, women have very marginal representation in the Parliament though many of the women are holding key visible positions in governance and parties as office bearers.

The Scheduled Castes and Scheduled Tribes have representation due to reservations in the Lok Sabha and the State Assemblies but it is true that they are more representatives of their party than of their communities.

Many of the seats meant for SCs are grabbed by communities that do not belong to the untouchable category but included in the Scheduled Caste list in the State. The Dalit votes get divided and Dalits parties have very limited chance to win in the reserved seats of the country.

The Adivasis also are not able to represent their community in the absence of political parties of their own. As a result, SC and ST representatives are simply co-opted and accommodated by the mainstream political parties bettering the interest of their parties.

Therefore, many minorities, Dalit, Adivasi and women see a hope of qualitatively better representation in the PR system. There are examples of Sami Parliament in Norway for indigenous 'Sami' people and 'Maoris' in New Zealand have a separate electorate that

recognises the presence of indigenous communities in their national governance.

In India, we have only provisions of fifth and sixth schedule areas but no special arrangement in the Parliament and the State Assemblies for Adivasis. Electoral system experts reveal that out of 211 democratically governed countries in the world, 89 have adopted PR and many others are in the process as this system has inclusiveness in the era of globalisation. The PR system in many countries has been instrumental in improving the quality of governance and reduction of corruption by involving its citizens in decision-making process.

As political parties have to play a major role in the PR system, the internal party democracy and State funding in elections can be ensured in the electoral process to achieve larger political accountability of parties and avoid family rule and monopoly of individuals.

When each vote does not go waste, the interest in voting will be increased among the voters in the PR system. In order to bring change in the electoral system of the country, suitable amendments in the Representation of the Peoples Act, 1951 and approval of the Parliament are required.

Political parties, academics, civil society groups, people's movements striving for a democratic India need to think about it seriously. The governance system of the country needs to be democratised and inclusive to ensure political rights, as human rights to all its citizens without which socio-economic development will not be possible.

Article 21 of UDHR says everyone has the right to take part in the Government of his country, directly or through freely chosen representatives. The will of the people shall be the basis of the authority of Government and shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

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## STATE FUNDING CAN HELP MARGINALISED SECTION CONTEST POLLS

The present-day corruption, criminalisation, bribing, family rule and feudal dominance in socio-political life have been a matter of concern for all.

Representation in a democracy should be inclusive of class, caste and gender and it is more challenging in a multicultural and multi-religious country like India. The aspirations of people from different socio-economic status should be represented through their representatives in governance. The 16th Lok Sabha has only 11 per cent women and four per cent Muslim and other minorities. The majority of members across ruling and opposition belong to the rich class.

There should be a basic change in our present electoral system to strengthen democracy and inclusive governance. The composition and character of the governing bodies taking decisions on behalf of the people should be changed as per the demand of the present scenario. In the context of electoral reforms, State funding of elections features as one of the most important aspects. Equally important is proportional representation system.

The election system in practice has been pro-rich, where candidates play a bigger role than parties, and candidates from the poor economic background and small parties and financially weak parties have very less chance to win because they cannot compete in the campaign with financially powerful parties. The corporate sector decides winners, while corruption and bribing influence the election results. The corporates also influence policy making process of governance in their favour and prevent genuine representation of the candidates by encouraging unfair competition.

The 2014 general elections in the country for Lok Sabha and State Assembly witnessed huge spending of money in the campaign by parties and candidates. Most voters were bribed to vote, though the law is there to prevent the practice. Many parties used helicopters and helipads for high profile campaigning all over the country taking special help of film stars and celebrities. The print and electronic

media were used day and night to propagate in support of the parties. All these cost some thousand crores.

Many party leaders spent a huge amount in building their public image through advertising in print and electronic media and displayed big public hoardings. Though there is provision for the ceiling in candidates' expenses in the election but there is no ceiling imposed by the political parties spending during elections.

The Association for Democratic Reforms (ADR) sources say that in the 15th Lok Sabha, out of 543 members elected as many as 306 MPs are crorepatis. Total 8,198 candidates contested in the 16th Lok Sabha election, out of which 2,214 are crorepatis. For 21 Lok Sabha constituencies of Odisha, total 195 candidates of 34 parties including independent candidates contested the election out of which 55 candidates had declared them as crorepatis in their nominations. In the present Lok Sabha, 82 per cent MPs are crorepatis with total assets of `7,850 crores.

It has ramifications on State of politics in poor States like Odisha with huge poverty and low income. It is discussed in media that ruling party's bosses sold out tickets to those who have paid a huge bribe to them. The mining and industrial lobby have played a substantial role in the selection of candidates.

Even many genuine prospective candidates within the party have revolted against this kind of move but they were helpless onlookers. The criminal background of the candidates almost was ignored, while candidates with money and backing from industrial and corporate houses were chosen as nominees by the political parties. Their educational background and experience in public life did not matter much.

The sources of donation to the political parties have been restricted through provisions of laws like the Representation of the Peoples Act, 1951, the Foreign Contribution (Regulation) Act, 2010 (FCRA) and the Companies Act, 1956. There have been a large number of complaints in media against political parties for violating FCRA rules, for not having submitting audited statement of accounts and lack of transparency and accountability in dealing with party fund during elections. Many of the parties lack internal party democracy and mostly ruled by a family, individuals and dominant groups.

There has been growing demand by many political parties for State funding. Years back the matter was discussed in Constituent Assembly by Prof KT Shah who moved an amendment that election expenses should be borne by the State.

The Dinesh Goswami Committee (Former Law Minister) on electoral reforms in 1990, Indrajeet Gupta Committee on State funding of elections 1998, Second Administrative Reform Commission, 2008, and Law Commission report on reforms of the electoral laws 1999, the Ministry of Law and Justice and Company Affairs constituted a committee on State funding of election which submitted its reports in 1999, have extensively referred to the issue. Former Chief Election Commissioner of India SY Quraishi had argued in favour of State funding and said it can help end political corruption.

The committee's recommendation suggested for State funding to registered State and National parties with restrictions and further said that election commission had to work out modalities on this.

It is argued that this can start with partial funding and the funding should be preferable in kind like rent free accommodation, rent free telephone, free time in Doordarshan and AIR, fuel for vehicles engaged in the election, paper for printing, loud speaker, free telephone, support for counting agents etc. In order to reduce the expenses, there should be a restriction on political parties using helicopter during the election.

There are parties and individuals oppose State funding taking the plea that taxpayers are indirectly forced to pay for election expenses of all political parties. Rather they want to limit their contribution to the parties whom they support. With State funding, the political parties become part of the State rather than the representative of their supporter in particular and people in general. It will affect the ultimate accountability to people.

The party candidates may depend more on State than their leaders and the role of elites in the party will be reduced that may affect the performance of parties dominated by individuals and families. Many Left parties supporting State funding are of the opinion that the parties should not be controlled by State in the name of funding because it will downsize the political role of a party in holding State accountable.

However, many parties and campaign like Campaign for Electoral Reforms in India (CERI) argued that state funding of elections is a necessary cost of democracy and governance and not a huge burden on State. This process will contribute to reducing the dependence on political parties in the corporate sector. The State funding of elections with strict legal measures will contribute to limiting the role of private corporates, communal, casteist and extremist bodies in the election.

It further argued that in poor societies, ordinary members of the party cannot support party's election fund. There are countries like Germany, France, Austria, Sweden, Denmark, Norway, Brazil, Japan, Spain, Italy and many others who have already adopted State funding for political parties.

The International Institute of Democracy and Electoral Assistance (IDEA) of Sweden, working with the Election Commission of India on electoral reforms and strengthening democracy says out of total 180 countries, 71 countries have facilities of giving State funds based on votes obtained and 86 percent of the countries in Europe and 58 percent in Asia have adopted this.

In a democracy, there should be fair access to representation which includes fair election and participation. The State funding will pave the way for building genuine party representation and the feudal and hegemonic rule in parties will come to an end which is very much required for a healthier democracy.

This process may encourage marginalised groups such as working class, labourers, peasants, Dalits, Adivasis, religious and ethnic minority, women and regional parties to improve their participation. A free and fair election will ensure good governance and development.

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# UPPER CLASS SUPREMACY IN STATE PARTIES MUST END

Give Dalits, Tribals fair, equitable representation

Political participation is being recognised as source towards development and dignity of the marginalised groups. Political parties are the agencies through which people can get involved in political activities. Political parties are an inseparable part of parliamentary democracy and the democratically functioning of parties is very much important for the health of the democracy and governance.

Internal party democracy and inclusiveness are identified as most important aspects of democracy and carries much importance in a diverse society with a large presence of marginalised groups in a state like Odisha. There are 1600 registered political parties in the country.

34 nos of political parties had contested the 2014 election in Odisha out of which six are national parties and others are recognised, registered and not recognised parties.

The major parties in the state in terms of percentage of votes polled include BJD 44.1per cent, INC 26 per cent, BJP 21.5 per cent, BSP 1 per cent and JMM 0.8 per cent. These five parties collectively got 93 percent of the total vote share of the state.

It has been observed that the state branches of national ruling political parties are dominated by the financially powerful families from dominant communities in the state. Leadership from the historically marginalised sections has not been part of the decision-making process in the party.

The Dalit and Adivasis have been used as political wage labour during elections and party meetings by the ruling parties. Their women and children are paid a wage on different occasions to join party rallies and shouting slogans in favour of the party.

They are being behaved in an undignified manner without providing proper transportation and food while mostly they are projected in media as party workers and supporters.

In spite of their under-representation, they are just given a very ordinary role to fulfil the legal criteria of reservation. The absence of a regional level Dalit or Adivasi political organisation in the state has been weakening the political bargaining power of these communities with 24 percent of Adivasis and 17 per cent of Scheduled castes.

In states like Jharkhand with 26 percent of tribal population, the presence of tribal parties has yielded favourable results for the political participation of Adivasis. Similarly, the absence of Dalit parties in the state is being reflected in the poor bargaining power of the Dalits whereas their counterparts are doing relatively better in Maharashtra and Uttar Pradesh.

The representation of women has been very negligible in party leadership in the state, mostly women are placed as president of women wing of the party similarly, Dalit, Adivasi, OBC and minority cells are functioning to satisfy the representatives of respective communities as leaders of a section of people without any larger role in the party.

In the last election, It came in media that ruling party leaders from dominant groups are intolerant to Dalit and Adivasi leaders when they are coming in a leadership role as party president or have the desire to contest from unreserved constituencies. The vocal leaders within the party are threatened in terms of denial of tickets and mostly the spineless followers are accommodated in the party to full fill the reserved seats.

There has been political mobilisation using caste and communal identities without political ideology. Representation has been misunderstood as reservation by only fulfilling the criteria of caste and party loyalty. The commitment of the candidate for the community and experience in public life in representing the cause of the people has been derecognised.

The leadership in progressive Left parties and their mass organisations in the state are also largely dominated by the people from dominant communities. The trade unions in mining and industrial areas among mining and industrial workers, where Adivasis have a large presence as members and supporters, have not yet upgraded the Adivasi workers as leaders.

The social base of the Left parties has not inclusive of all social groups, women and rural unorganised sector workers. The parties are dominated by upper caste male leaders from coastal Odisha. The 2014 election results show that CPI got 0.3 per cent, CPI (M) 0.2 per cent while others have very miserable performances. The non-representation of marginalised communities in these parties may be a reason for such results.

The issue of family rule and dominance is very much visible in the ruling parties. The sons and daughters of former Chief Ministers, Ministers and former feudal lords, kinds, Zamindars of erstwhile 26 feudatory states in Odisha are given leadership role in party and Government.

The 16<sup>th</sup> Lok Sabha result show out of 21 elected members, three MPs are sons of former kings, two MPs are sons of former Chief Ministers, and four are from dominant caste and the SC and ST representation is as usual due to reservation.

Since independence Odisha has had 17 Chief Ministers out of which 12 are from only two communities and two families dominated the position for a longer period. The two Adivasi Chief Ministers had an accidental chance of holding office for a very insignificant period in a crisis of their party.

The only women Chief Minister was from the dominant community. The women representation in the State Assembly has been consistently low. The 15<sup>th</sup> state Assembly has only (8 percent) 11 women out of total 147 members.

Out of 21 Lok Sabha members, only two are women and they are from SC and ST communities respectively. Out of 11 women MLAs, four are SC, one ST and six are from general category mostly belong to the upper class and dominant community.

The BJD and BJP have women MLA where congress does not have a single women MLA in the State Assembly. The state Assembly source revealed that only 56 women MLAs have been elected to the house since 1936 and 20 of them elected repeatedly. During last four terms of BJD rule, the female MLAs percentage has not crossed ten.

Due to the reservation, SCs and STs are represented in state assembly but they have not proportionately represented in the council of ministers.

As per article 164(1), a Tribal has to be a Cabinet Minister of Tribal Welfare Department. So as a matter of provision only one Adivasi is Cabinet Minister but SC and ST MLAs constitute 40 per cent of the total MLAs and same is their population percentage in the state. A study by Prof. Manoranjan Mohanty shows the continuous dominance of upper caste in caste profile of MLAs and Ministers of the State of Odisha in 1961, 1971, 1985 and 2009. As usual, the present caste composition of MLAs and ministers of the state is a repetition of old practices.

It is necessary to make law by the state for the formation, functioning, and the internal working of political parties both at the state and national level to ensure internal party democracy and social inclusion in the composition of the party structure.

The Law commission has recommended for the enactment of provisions requiring the political parties to maintain accounts and have audited accounts and filed before the Election Commission along with ensuring regular party elections and maintaining transparency and democratic values in the party.

In Odisha, Along with financial transparency, the social character of political parties needs to be democratised by making it inclusive of all social groups and women. The hegemonic dominance of upper class, upper caste urban educated middle class need to be changed with the representation of women, Adivasis, Dalits and OBCs in party leadership and decision-making process which will pave the way for representation in governance.

In countries like Germany, there are provisions that “the parties shall facilitate from the political will of the people. They may be freely established. Their internal organisation shall conform to democratic principles. But the Constitution of India has not been elaborated much about the political parties. The article 324 has only empowered the election commission to deal with political parties in conducting the election.

The tenth scheduled of the Constitution deals with provisions as to disqualification on the ground of defection. The Representation of

peoples Act 1951 should have adequate provision for ensuring internal democracy and inclusiveness in the party by which political parties will be forced to follow the mandate in fulfilling it as a legal provision.

It has been argued that the present electoral system has been giving more importance to candidates than the party. As an alternative the proportional representation system may have better regulation in ensuring internal democracy of the parties.

The family dominance and single leadership in a party is not conducive to the spirit of democracy and governance because this will lead to nepotism, favouritism and corruption and prevent the representation of genuinely deserving people in political affairs of the country.

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## SCS CONTINUE TO BE BACKWARD IN STATE

The Scheduled Caste (SC) population in Odisha constitutes about one-fifth of the total population of the State. But it lags behind other social groups in every aspect of human development indicator. The SC representatives' participation in monitoring bodies is a matter of concern in backward State like Odisha having an SC population of 72 lakh. The protection and development SCs is linked to the overall development of the State. Odisha has 3.6 per cent of the total SC population of India covering 93 sub-castes whereas the county has SC population of about 21 crores covering 1,241 sub-castes.

The Government of India (Scheduled Castes) Order, 1936, the first SC order, identified 54 sub-castes in Odisha in the list of SC but till recently the total number has become 93 and a few others are in the process to join. Odisha has enlisted more number of castes as SC in comparison to other States in the country. Many SC organisations are very much critical about the validity of the SC list as they observed that a few of the sub-castes included in the list are not fulfilling the basic criteria of untouchability and joined through manipulation and political mobilisation. The relatively socially acceptable castes among SCs are gaining all the advantage of reservation in education, job and political participation while the most untouchable within the SCs such as manual scavengers are still lagging behind and even discriminated by other sub-caste groups. The SC communities are not emerging as a socially homogeneous group due to caste-based occupations and caste based social identity though they all bear the suffering of social discrimination. The social unification process of the SCs is further disintegrated with conversion to other religion as untouchables converting to other religion except Hindus, Buddhists and Sikhs are losing their SC status.

It is observed that many of the reservation beneficiaries are economically well off but their social status has not been changed because economic development has not been contributing much to change the caste identity in social life. The SCs living in scheduled areas are even discriminated by STs in recent times, may be due to communal and casteist mobilisation with discourses of superiority and inferiority injected to them.

The value of symbiotic relationship among SCs and STs has been changing with caste based identities. A large majority of SCs are

habitants of coastal and rural areas. They are a part of the caste Hindu villages. The different sub-caste groups among the SCs in villages have no social relation among themselves. The issues of untouchability in public places like schools, Anganwadi centres and caste based atrocities, violence against untouchable Christians, ethnic conflicts over land and discrimination in accessing Government programmes have been a matter of concern. The social discrimination and social unrest have been disintegrating the social fabric and destroying peaceful co-existence which has largely impacted by the development process of the State. Social discrimination needs to be understood from larger development perspective in backward States like Odisha.

The historical social injustice manifested in illiteracy and landlessness has led to abject poverty among the SCs. The land has been a matter of concern in the context of the development of the SCs because their dependency is very closely linked to land as agricultural workers and sharecroppers. The backwardness of the State's agriculture sector has been seriously affecting the rural agro-based economy, along with farmers. The worst sufferers are agricultural workers and sharecroppers who depend on agriculture for livelihood.

The natural calamities like flood, cyclone and drought that routinely happen in the State always add an extra burden to their misery. The absence of State investment in the agriculture sector and the failure of employment generating programme like MGNREGA have forced many of the illiterate and landless labourers to opt distress migration. This has ramifications over the food production and ultimately food security of the people. The much controversial Rs1-a-kg rice has not been able to stop distress migration in rural areas.

As per constitutional provision, there are dedicated institutions like the Ministry of Social Justice and Empowerment (MSJ&E) and monitoring body the National Commission for Scheduled Caste (NCSC), budgetary provisions like Scheduled Caste Sub Plan (SCSP) and protective Central legislations like the PCR Act and SC and ST (POA) Act for the protection and development of the SCs.

The SCSP is being implemented since 1979 for the development of the SCs having provisions of allocation in the budgetary spending in proportion to the percentage of SC population of the State. The Planning Commission guideline says the SCSP should be an integral part of annual plans and the funds allocated for SCs are non-divertible

and non-lapsable and it should be primarily targeted to reduce poverty and unemployment among SCs and bridging the gaps in their socio-economic development. The MSJE had introduced SCSP Bill in 2013 in the Parliament to ensure formal legal sanction to this provision. The State SC and ST Development (SSD) department is the nodal department to monitor the implementation of the SCSP in the State at different levels by involving the elected representatives.

At the State-level, there is the Odisha Scheduled Caste Advisory Board with the Chief Minister as the chairperson, the SSD Minister as deputy chairperson and an SC MP and SC MLAs as its members. This committee has to sit regularly to review and discuss the development of SCs but the role of such an important board is almost non-functional in Odisha. The State Assembly has 27 SC MLAs and there is a House committee of SC and ST MLAs. The Chief Minister is the chairperson of the State Vigilance and Monitoring Committee under the POA Act to monitor the atrocities. At the district level, the vigilance and monitoring committee is headed by the district Collector where the SC MLAs and MP are also members but very few meetings of such committee are held to discuss the issues of atrocities and development of the SCs.

The ruling BJD has won all the three Lok Sabha seats reserved for SCs and out of 24 reserved MLA seats for SCs, the BJD has won a majority of seats followed by the Congress and the BJP. The parties like the BSP, the RPI, the Ambedkar Party of India and Bahujan Mukti Party which are more identified with the cause of the SCs have performed very poorly in the last elections. The ruling BJD has two SC MLAs as Ministers with one having got a Cabinet berth. The Rajya Sabha has no SC member from Odisha.

The elected representatives are members of different monitoring bodies to monitor the development programmes and implementation of protective laws for SCs but the members are not playing their role as expected. In order to make them active in such monitoring bodies the elected people's representatives should be informed about their role and responsibility through learning exposure and SC representatives irrespective of their party affiliation should get united to solve the issues of the communities and work for the development of the State.

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## TRIBAL LEADERS MUST WORK WITH A LARGER PERSPECTIVE

Odisha, the third largest tribal State having ten percent of the tribal population of the country, is home to 62 tribes who speak about 74 dialects having lots of socio-cultural heritages. The Article 22 (1) of the Constitution recognises specific geographical areas such as 5th scheduled area for the protection and development of the tribal inhabitants.

There are provisions for tribal participation in governance at various monitoring bodies for inclusive development supported with special financial resource allocation for governance and development, but it has been observed through various indicators that the socio-economic and educational status of STs has not been improving as it is expected after almost more than half a century of the State initiative. This is one of the important reasons why many of the constitutional and administrative bodies with ST representation in the State are not functioning and are being formed just as a formal provision.

Article 164 says a tribal should head the tribal welfare department in tribal dominated States having 5th scheduled area like Odisha. The present Minister, elected from Rayagada constituency, is the only tribal Cabinet Minister who has been holding that post for the second consecutive time and another prominent tribal leader is also acting as State Minister in charge of tribal welfare. Both the leaders are from scheduled areas. There is a 21-member Tribal Advisory Council (TAC) headed by the Chief Minister in which the SC/ST Development Minister remains as the deputy chairperson and his departmental Secretary as member secretary to review the work but there have been no regular meetings and reviews. Even many of the MPs and MLAs of the council do not know why they are there. There is another State level vigilance and monitoring committee as provisions of SC and ST (PoA) Act 1989 and Rules 1995 headed by the Chief Minister. But it also stays dysfunctional. Even not a meeting is regularly held to review the atrocities against SCs and STs, which is a matter of grave concern.

The Union Ministry of Tribal Affairs and National Commission for STs are two important empowered constitutional bodies headed by tribal representatives with legal power and financial resources dedicated to tribal development. Tribal cooperative marketing development

federation India (TRIFED) and National scheduled tribe finance development corporation (NSTFDC) have been created to promote tribal economic development and there are State level agencies to channel it to the communities.

The SC and ST development department is the nodal and coordinating department of the State for all governance and development-related work, having separate institutions like OSCSTRTI, OSCSTFDC, TDCCOL for marketing NTFP and agro products, besides the Academy of Tribal Language and Culture (ATLC), Odisha Tribal Development Society and Odisha Model Tribal Education Society etc. for socio-economic and cultural development of the tribals.

It has been observed that Adivasi elected representatives are more representing their parties in the community rather than serving the interest of their communities. There's a House committee of MLAs in the State Assembly to look after the welfare of the SCs and STs in which 57 members are there with 33 tribal MLAs. Five Adivasi MPs are in Lok Sabha out of which four are from BJD and two Adivasi MPs are in Rajya Sabha. This time, BJD has highest ST MLAs followed by Congress and BJP whereas Congress has no ST MP. The only BJP tribal MP from Odisha in Lok Sabha is heading the Ministry of Tribal Affairs for the second time. There is no Adivasi political party in the State; the JMM State unit has virtually merged with the BJD with its leaders having joined the ruling party. This time, JMM is in the fifth rank in Odisha with 0.8 percent of the vote.

The role of leaders from Adivasi communities in ruling parties is very insignificant and almost absent. The Left parties have just one tribal MLA from Sundargarh district. Many of the Left extremist groups have their base in tribal areas. The tribal youths are being used as a scapegoat in an anti-extremist police operation and special Adivasi police are being recruited by State with a special drive for such operations so that only the Adivasis end up losing their lives in the gun battle.

With the added advantage of the provisions of PESA Act 1996, at the district level in all scheduled areas, the Zilla Parishad chairpersons are Adivasis, Panchayat Samiti chairpersons are Adivasis and Sarpanchs are Adivasis, but how they are different from elected members of other social groups. Are they taking any special interest to uplift their own brothers and sisters and the communities they come from by

using the provisions of participation provided to the communities? Why are they not monitoring the development programmes and implementing them as the head of the different monitoring bodies? Tribal MPs and MLAs have their MP and MLA Lad funds which they can use for the development of communities to solve basic issues like drinking water, health and education in tribal areas. Unfortunately, the tribal representatives' role in solving various problems of their own communities and ensuring their growth appears to be minimal.

The development of Adivasis and Adivasi area has been supported by constitutional provisions like Central grants under Article 275(1), special budgetary plans like Tribal Sub Plan (TSP) and Integrated Tribal Development Agency (ITDA) in scheduled areas. For the development of the STs in non-scheduled areas, there are Dispersed tribal development programme (DTDP), Modified area development agency (MADA), tribal clusters and 17 micro projects for 13 most vulnerable tribal groups out of which 13 are in scheduled area and four are in non-scheduled area.

There are also programmes like a special plan for KBK districts and OTELP.

Apart from Government level, there are dedicated voluntary agencies, NGOs, religious groups, corporate foundations armed with CSR packages and international agencies like DFID, WFP, and IFAD and UNO bodies with latest development models operating for a long time focusing tribal livelihood development. But the pace of tribal growth is too slow and far from satisfactory.

Adivasi communities are an integral part of the State, so their development needs to be integrated with the larger development of the State. But the State policy and development programmes are proved as anti-tribal. The monitoring bodies are not meeting regularly and elected leaders have very marginal involvement in such committees. There is a lack of coordination among different actors engaged in the tribal development and many of the efforts are diverse and disconnected. The charity and welfare approach still dominate the discourse which should be replaced with rights and development with dignity.

In Odisha, the tribal communities face many challenges within the community and by external forces. There is a lack of socio-political unity among the Adivasis and ethnic identity, political and religious

divisions are further disintegrating their larger unity. The economic globalisation and development models by dominant social groups have been facilitating the process of marginalisation by disintegrating the community and making them resources-less on their own soil. The State which has been in the hands of dominant class is acting as agents rather than a protector of the marginalised communities. The Adivasi leadership is being used to serve the interest of the ruling party rather than Adivasi community. Leave apart political participation due to reservation, Adivasis are not represented in corporate, business, bureaucracy, judiciary, media and academic level. So within the State structure and at the community level, there is a lack of organisation to systematically take up tribal issues at different levels. The Adivasi leaders have to think with a larger perspective.

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CHAPTER-C  
TOWARDS SOCIAL INCLUSION

# DALIT ATROCITY, EXPLOITATION HINDER STATE'S GROWTH

December 6 is memorable in India and South Africa. On this day, we lost Dr Ambedkar and Nelson Mandela. Both have been awarded Bharat Ratna. They fought against two most visible sources of discrimination and exploitation named caste and race.

They advocated civil liberties and human rights for all human beings. Caste based discrimination is a major issue in South Asia which affects the human rights of about 26 crores of people. India is home to about 20 crore people belonging to caste discriminated communities.

Dalits constitute about one-fifth of the total population of Odisha and along with Adivasis, they are almost half of the population. In spite of constitutional mandate, institutional mechanism and special provisions and schemes, untouchability and atrocity are major issues of concern in our State.

During the last 12 years from 2001 to 2012, 24,796 atrocity cases against SCs and STs have been registered in different police stations of the State out of which 18,446 are against SCs and 6,350 are against STs. The nature of atrocity includes 1,002 rape cases (SC574 + ST 428), 264 murder cases (SC 158 +ST106), and rest of the cases are house burning, arson and other crimes. The situation of women, in general, is worst in the State. It is reported that the number of registered cases under rape from 2001 to 2012 is 11,430. The National Crime Record Bureau (NCRB) data shows that 7,780 cases of atrocity against SCs were pending in different courts of the State for trial till 2012. The conviction rate is 6.3 per cent. These cases are booked under Protection of Civil Rights Act, 1955 and SCs and STs Prevention of Atrocity Act, 1989. These two laws are primarily addressing the issues of untouchability and caste-based discrimination and atrocities against SCs and STs under Article-15 and 17 of the Constitution of India that speaks about protection against discrimination on the ground of caste and ethnicity.

India is signatory to international conventions like Universal Declaration of Human Rights (UDHR-1948) and Conventions against Elimination of Racial Discrimination (CERD) and Torture. PCR and POA Acts have provided institutional mechanisms like special courts,

legal aid, helpline, monitoring committees, relief and compensation and rehabilitation majors to address the issues with the objective to protect the vulnerable sections of our society and ensure justice.

Since 2000, the State Government in concurrence with the Chief Justice of the High Court of Odisha specifies the courts of districts session judge and additional district sessions judges as a special court for the trial of the offence under these two Acts. Very recently, three special courts have been set up in Baleswar, Bolangir and Cuttack for this, along with 596 legal retainers appointed under the Legal Service Authorities Act, 1987 to facilitate the process.

The public prosecutors appointed in all districts also have a major role in the process. As per the provisions, the victims and witnesses and their accompanied are entitled to get travel and other allowances during trial and hearings. The Home Department has set up Human Rights Protection Cell (HRPC) headed by IG police especially to look into the investigation. There are State level vigilance and monitoring committee headed by the Chief Minister and district level vigilance and monitoring committee headed by the District Collector to periodically review the process of implementation.

There are two constitutional bodies like National Commission for Scheduled Castes and National Commission for Scheduled Tribes along with statutory bodies such as National Human Rights Commission and State Human Rights Commission who are supposed to be proactive in the matter of SCs, STs, women and children who are most marginalised sections of our society.

In many States, there is also the existence of State level SC and ST commissions but the Government of Odisha has not yet thought about it. It is also unfortunate that often such bodies are being used for petty political purpose by the ruling parties.

Still, we have the worst form of untouchability practice in the rural areas and atrocities in thousands, which deny a life with dignity and prevent democratic and dignified access to common property resources, public places and basic services. Whenever the victim seeks protection and justice from the State, in most instances, FIR is not registered by concerned police stations. In many cases, SC victims are forced to compromise at the FIR Stage. In most of the cases, the SC victims are threatened with false cases. Even if the FIR is registered, stipulated sections and subsections of SCs & STs (PoA) Act, 1989 are

not invoked in the FIR. It has been reported in many accusations that the police stations are not accepting FIR from victims by the pressure of local upper caste.

Development is not possible without protection to the marginalised section of our society. These sections of people are not organised.

There are also victims of the same social system, cultural practices and caste mind-set, which divide them into a number of sub-castes and lead to the absence of social unity among themselves. The political and economic reservation helps a few of them in terms of representation in the legislative, judiciary and the executive but it has not adequately contributed to minimise age-old discrimination in social life.

Their representation is also not adequately reflected in all spheres and they suffer exclusion. Many of the reservation beneficiaries are not involved in addressing the issues of social discrimination and atrocities. Political representatives are just like employees of their party bosses and not opening their mouth because of the fear of losing tickets in the next election.

The employees are more interested in fighting discrimination in their own sphere and not relating to issues of the common people in communities. The privatisation process in health and education sphere has encroached upon the welfare role of the State, which largely affects the poorer sections. These low caste and poorer sections face the burden of unemployment and natural calamities like flood, cyclone, drought and disaster.

The struggle for survival is more intense which are manifested in the form of atrocities when they demand minimum wages, access to resources, land, equal access to the Government schemes, public places, business, trade and to social life and socio-cultural functions. The women of so-called low caste and poor families are more vulnerable in this situation and prone to inhuman exploitation in the absence of a strong protection mechanism and culture of dignity of human beings.

Thousands of people from rural areas have been migrating to different parts of the country in search of livelihood and more than that to avoid discrimination and atrocities. The atrocities against low caste and social discrimination in villages are one of the most potential



reasons of distress migration. There is no data about such migration and forced displacement.

Therefore intervening in the issues of atrocities is highly essential and carries significance in the context of inclusive development. The non-functioning of State mechanism and democratic institutions built for the purpose is a matter of concern for all who believe in human dignity, the rule of law and democracy.

Political parties, CSOs, Dalit, Adivasi, and women organisations in the State need to direct all their interventions putting the human rights violation issues in the centre as protection will pave the way to development.

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# MANUAL SCAVENGERS YET TO LEAD DIGNIFIED LIFE

It is evident that a large majority of people from a particular community are engaged in manual scavenging or sanitary work. They are called sanitary workers, Safai Karmacharies, Mehentaras, Beheras, sweepers and their habitations are known as Harijan Sahi and Mehentar Basti and slums in urban areas.

They are enlisted as Scheduled Caste (SC) and identified as the most vulnerable community among the SCs. They face practices of untouchability in every sphere of life for their social identity and occupation. Historically, it is linked to the caste system and forced caste based occupation. Women are engaged in a large number with this occupation.

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act-2013 defines manual scavengers as manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which the human excreta from the insanitary latrines is disposed of, or on a railway track or in such other spaces or premises. Manual scavenging is a violation of the right to human dignity.

They clean toilets, clogged drains by entering the manholes, streets, roads, de-silt the drains and collect garbage and waste. In spite of modernisation, still, this particular community is being engaged in large number with this occupation which is not respected in our society.

All our hospitals are maintained by them, office and educational institutions, municipalities and Rogi Kalyana Samitis in villages engage them as contract labour or wage labour. They also do seasonal additional work like drum beating, bamboo work, and disposal of dead animals, carcass, leather work, shoe making and menial jobs which are never recognised as a respectful occupation in our caste-ridden society.

They work in the most hazardous environment without protective equipment and devices like a mask, gloves and boots etc. Many of them die in roadside manholes; soak pits, waste pits while cleaning them. These deaths or accidents have gone unrecorded.

They are prone to TB, skin diseases and water-borne diseases due to long time exposure to dust, human waste and unhygienic places.

Usually, they get very less wage and are engaged in work from early morning to mid-day without break and holidays because the work itself demand more time and is unavoidable. The caste people in their locality hesitate to employ scavengers as a cook or domestic help because of their caste identity and occupation.

Liquor and all kinds of addiction are affecting these people. Caste mindset, illiteracy and low wage together have made their life deplorable. A very insignificant few of them have come up due to reservations in education and jobs but a vast majority of people are still systematically engaged without a way out. The scavenger community in rural areas is engaged in seasonal jobs and many of them have been working as agricultural workers and migrating due to unemployment and social discrimination and atrocities in villages.

They have been always pushed to the outskirts of the cities and displaced again and again in the name of beautification and expansion. Tanlasahi in Tulasipur and Jayamangala Basti in Cuttack where hundreds of manual scavengers are living were forcefully evicted by the Cuttack Municipal Corporation without rehabilitation. Even the land given to them by the Government at CDA was taken back. The Choudwar municipality sweeper colony, Kapileswar Basti having 106 families, was deprived of getting homestead land.

All municipalities have scavengers but they do not have homestead land for the underprivileged class. They still live on Government land, railway land and town outskirts. They are not organised as workers by trade unions barring in a few places. In many places, there has been no attempt to organise these sections of workers for their rights.

The privatisation of sanitary work in municipalities has further reduced their status from Government employee to casual workers by minimising all kinds of State sponsored benefits. The socio-economic condition of the scavengers in Cuttack, Kendrapada, Puri, Ganjam, Brahmapur, Sambalpur and in many small towns is wretched.

The Constitution of India prohibits the practices of untouchability and caste-based occupations. The National Commission for Safai Karmachari Act 1993 paves the way to set up a National Commission for Safai Karmacharies and adopted The Employment of Manual

Scavengers and Construction of Dry Latrines Prohibition Act, 1993 came into force in 1997 and was adopted by the Government of Odisha. It prohibits the use of dry latrine and provides imprisonment and fine but during last 19 years of its existence, not a single conviction has taken place.

The National Safai Karmachari Finance and Development Corporation under the Union Ministry of Social Justice and Empowerment was set up in 1997 as a company, not for profit with a share capital of Rs.600 crore for the rehabilitation of manual scavengers in partnership with the States. The Odisha SC and ST Development Finance Cooperative Corporation Limited established in 1979 under the administrative control of the State SC and ST development department has been in operation for the last 33 years and is the nodal agency for the rehabilitation of the manual scavengers.

It is unfortunate that the State Government has been denying through an affidavit in Supreme Court about the non-prevalence of manual scavenging which contradicts the Census data of 2011 and thereby taking no interest in the rehabilitation of the scavengers. The State department has no proactive role in coordination with NSCFDC for the development of scavengers in Odisha. There are scavengers in 103 urban local bodies which include three municipal corporations, 37 municipalities and 63 notified area councils (NAC).

All the urban local bodies have employed scavengers in the contractual appointment. The scavengers in slums are not being rehabilitated with land, house and dignified livelihood in spite of budgetary provisions like SCSP and programmes like IHSDP, BSUP, RAY, NULM, SJSRY, STEP UP etc. by the Ministry of Urban Employment and Poverty Alleviation.

The national scheme for liberation and rehabilitation of scavengers provides alternate dignified occupations with training and financial assistance from subsidy, margin money, loan and a bank loan. There is the provision of scholarship for children of scavengers, sweepers, flayers and tanners. The national action plan for total eradication of manual scavengers by the planning commission has been implemented by the Ministry of Urban Employment and Poverty Alleviation.

Why still a large section of extremely poor and caste discriminated people are not being provided with a basic minimum for life in spite of constitutional mandate, protective laws, budgetary provision, development programmes and institutional mechanism? It has been observed that there is the very marginal implementation of laws and programmes for scavengers.

The political parties, trade unions, CSOs and reservation centric Dalit organisations in the State are paying very insignificant attention to the humanitarian issues and are not inclusive of specific socio-economic issues of common man and particularly the marginalised communities like scavengers.

The marginalised communities need to organise themselves with their organic leadership to fight for their rights to live a life with dignity.

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## ALLOW DALIT SCHOOL KIDS EQUAL FOOTING WITH COUNTERPARTS

Our unequal socio-economic systems sustain sources of discrimination based on class, caste, gender and ethnicity. These affect our children in schools that have been identified as issues of concern for our country since Independence.

Children need such environment at school as to realise their rights and get protection from discrimination. Children below 18 years of age constitute over one-third of India's population.

They also constitute 19 percent of the world's population of children. In Odisha, the children below the age group of 18 years constitute 38.8 percent of the population.

The National Commission for Protection of Child Rights (NCPCR) was set up with a view to providing safety and ensure fulfilment of child rights in 2005 and the State Government also set up Odisha State Commission for Protection of Child Rights (OSCPCR) as a constitutional mandate and in affirmation with international convention like United Nations Convention on Rights of the Children (CRC), 1989 which India has ratified in 1992.

Articles 21A & 39(F), 45 and 47 of the Constitution speak for the protection of children and promotion of education as a fundamental right. Such education should be compulsory and free.

This has been manifested in the Rights of Children to Free and Compulsory Education, Act, 2009. In order to ensure the protection of children against discrimination and exploitation in any form, there are a number of protective laws like Child Labour (Prohibition and Regulation) Act, 1986 and The Protection of Children From Sexual Offences Act, 2012, Juvenile Justice (Care and protection of children) Act, 2000 etc.

But in spite of all this, there are historically structured and graded inequalities in our social system, which affect the most vulnerable sections of our society.

They are at such tender age being forced to experience man made socio-psychological abuse in schools. Dalit children are triple

discriminated as poor, untouchable and child in our formal schools and hostels specially built for them.

Dalit children in the State constitute one fifth of our children who were found as child laborers, dropouts and always outside the school but nowadays, a majority of them are struggling to access education mostly in Government run schools and residential schools run by the School and Mass Education Department and the ST and SC Development Department.

The SC and ST Development Department runs 1,649 educational institutions with about 4.29 lakh students, including 1.82 lakh boys and 2.38 lakh girls continuing their study. There are 4,696 hostels that provide residential facility to 3.96 lakh students out of which 2.96 lakh are girls. In the villages, the Anganwadi centres are places of discrimination against Dalit kids where they are not being treated equally. Dalit women are not allowed as Anganwadi workers in caste Hindu villages violating Supreme Court guideline of appointing Anganwadi workers.

Over fifty Dalit children studying in Chakada-Gogua high school in Mahakalapada, Kendrapada area were allegedly disallowed to break coconut shell and offer prayer to lord Ganesh while upper caste students were allowed to do the same during Ganesh Chaturthi. A similar incident happened in Salapada primary school under Badachana police station of Jajpur.

About 14 Dalit students left the Gahirapal project upper primary school, Dasarathapur, Jajpur, forever due to discrimination because the school authorities had removed a Dalit cook from the school.

The Dalit cook was replaced by a cook from the dominant caste.

The school teacher segregated the caste and Dalit students into two groups to provide a mid-day meal in two rows for which many guardians of Dalit children protested against the discrimination in school.

There were also reports of Dalit children being singled out in school and forced to sweep and mop classrooms and clean bathrooms in various parts of the State.

It is known to everyone that Dalit children all across the State are routinely humiliated during midday meal even by cooks who serve them from a distance.

They are also segregated in classroom, identified with caste names, and not being allowed freely to play with mates and use drinking water at school. The discrimination in school has very negative impact on the tender mind of the child and in many cases, the Dalit children are being discouraged to join the school with an inferiority complex.

In many villages, the parents are not being able to find a tutor for caste reason. Many Dalit families in rural areas are migrating to different urban locations which affect the education of their children.

In residential schools, sexual harassment of girl children and physical and mental punishment to the children is rampant. It is also reported that low quality and unhygienic food is served to inmates in the Government ashram schools.

Many hostels have no boundary walls and the inmates are unsafe even without electricity, toilets and clean water in interior parts, inside forests, and areas without proper communication.

There are incidents of snake-bite, poor health care and unsafe building which lead to death of children.

There is a need for human rights and value-based education. It should be based on principles of UDHR, and Constitution of India. The secular and casteless values established by our forefathers like Phule, Gandhi, Tagore, Ambedkar and many others who fought against inequality, hegemony and dominance and established liberty, equality and fraternity and values of democracy not only in politics but also in our social life should be followed. Our education curriculums should carry these ideas to our children and build their mindset with principles of equality. The School and Mass Education Department and SC and ST Development Department with child rights bodies and institutions should develop a road map to fight social discrimination based on caste and ethnicity in schools.

Issues need to be understood from a broader human rights and development perspective but not as a charity, sympathy or fever to Dalit children.



We have to establish the rule of law, human values against our age-old unequal ideas prevailing in our socio-cultural life that denies basic human dignity to fellow human being.

The education programme run by Govt. and private bodies need to be more inclusive so that education can reach across different social groups.

Social discrimination should not become a barrier of education of children of Dalit communities. On the other hand, education can be used as a powerful tool to eradicate such social evils.

Can our educational institutions, our teaching communities, both Dalit and non-Dalit, become free from discrimination in any form and especially discrimination based on caste and practices of untouchability? The clause (c) of Section 8 and 9 of the RTE Act, 2009 and Section 5(i) of PCR Act, 1955 need to be implemented in true spirit. The equality manual prepared by NCPCR should reach each and every school in regional language.

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## EDUCATION FOR STATE'S MARGINALISED SECTIONS FACES BIG HURDLES

Education is a human right and the Constitution of India recognises it as a fundamental right of every child. It is the duty of the State to ensure education for all. Education for marginalised communities such as SCs and STs in Odisha is very important for their liberation from historical injustice and marginalisation.

It will pave the way towards their development with dignity. But the recent cases of suicide by girl students of marginalised communities of backward districts question the role of the State in promoting education among girls of these communities.

Sunita Raita, a Nursing student of R Udayagiri in Gajapati district, Kanakadei Bhadra, a Class X student of the Ghatiguda High School in Papadahandi of Nabarangapur district, and Banita Naik of Class VII of the Aska Government Girls' High School in Ganjam ended their lives for lack of tuition fees and reading materials. It is not that they had no support, but they were not timely supported by the administration.

Sunita's stipend was not released for about 16 months despite her grievance petition to the Collector which she mentioned in her suicide note and blamed the District Magistrate and the Project Administrator, ITDA, of the district. Kanakadei's stipend was not deposited in her designated bank account and Banita's money was not released though it was due.

It is observed on many occasions that the authorities are not serious to the issues of students and show a callous attitude. All the three girls belonged to the most neglected group of society who were not getting due attention in family, society and by State.

Their parents are poor agricultural workers and wage labourers. The districts are backward in terms of health and educational infrastructure and known for distress migration from the State.

The issue is not limited to three girls; rather lakhs of SC and ST, OBC and minority students in the State who are depending on stipend are routinely harassed and their stipends are usually delayed by department officials and educational institutions.

Many poor and illiterate parents are visiting local banks and tehsil offices for a number of times to avail caste/tribe certificates and to open a bank account for their schoolchildren. In a number of cases, the parents have to bribe local officials and persuade the bank staff with all humiliation to get the documents.

The Government has introduced online system to file applications which is good for educated people, but it is very difficult for people in remote rural and inaccessible areas without electricity and computer, and as a result they have to travel a long distance just to submit the application by taking the help of a computer literate on payment.

SC/ST Department sources reveal that in 2012-2013 there were 8,30,470 ST students to get pre-matric, 72,669 ST students to get post-matric and 5,96,563 SC students to get pre-matric and 84,674 SC students to get post-matric scholarships. The scholarships paid to SC and ST students are a full Central assistance.

The State Government has only to manage this, and it is very important in a State like Odisha where SC and STs constitute 40 percent of the population. But it is unfortunate that though there is a dedicated department and availability of huge funds under a budgetary provision like SCSP and TSP, the State Government fails to manage this important programme.

The state's responsibility to ensure education for all has been shifted from state to market forces, private organisations and religious bodies. The state resources are provided to private organisations in forms of land, grants and other support such as sponsorship to ensure education.

SC and ST children are sponsored by Government, public sector undertakings and private corporate houses to promote private educational institutions by using allocations for the marginalised communities, but it is unfortunate that the basic purpose of such expenditure by state and others is not properly monitored to attain the goal.

In the context of women education, the women literacy in Odisha is less than the national average while the literacy rate of SC and ST women is very low compared to other social groups. The literacy rate of vulnerable tribal women and women in interior and backward areas is a matter of grave concern.

With all difficulties girls are coming to school, but they are facing all kinds of mental and physical abuse at home, educational institutions and society at large. They are socially discriminated against due to their social status as a woman of a different ethnic group or low caste.

There are regular complaints about poor living condition and insecurity by the inmates of residential schools run by the SC and ST Development Department. While the Government- run schools and hostels suffer from various kinds of problems, the Government, public sector companies like NMDC, NALCO and MCL have been supporting private institutions with the sponsorship of SC and ST students.

The resources of tribal development programme like ITDA and TSP are diverted to private organisations in the cities in the name of tribal development. The elected representatives of tribal areas are working as agents of private educational institutions and mobilising students for these institutions.

A number of Government programmes for education of SC and ST children are diverted to private organisations in the name of excellence. Such a policy is promoting education business by private organisations in the State.

Government-run institutions are projected as inferior to private institutions in terms of quality and standards. By this, a demand has been created to motivate SC and ST parents to send their children to private institutions.

Various studies and media reports show that many schools and hostels for SC and ST children are places of discrimination. Many teaching and nonteaching staff carry a mindset of superiority and impose the dominant values and cultural practices on children.

Numbers of religious groups are allowed in tribal areas to propagate religion in the name of education, and many of the educational institutions are used as places of religious propaganda with the active support of ruling parties and a financial grant from the Ministries of Tribal Affairs and Social Justice and Empowerment.

Tribal children are discouraged to speak their languages and practice their culture and belief systems; rather, they are forced to adopt the dominant cultures and languages.

International agencies working on issues of education of SC and ST children are not involving any SC and ST organisation in their work. They are mechanically relating with Government and have their self-engaged monitoring systems without involvement of communities, specially SC and ST representatives, elected PRI leaders, MLAs and MPs and constitutional bodies such as NCSC, NCST and State Tribal Advisory Council, SC Advisory Board and House Committee of SC and ST, who are almost unaware about the intervention by such agencies. International agencies in Odisha are managed by upper-class elites with a very insignificant involvement of people of marginalised sections of the State.

There is a lack of larger coordination among all the stakeholders in the State and huge information gap among the actors including the community. The SC and ST Development Department, as the nodal agency, is not playing any proactive role in planning, coordination and monitoring its work with SC and STs.

There is the absence of political will from above and pressure from people below when some unwanted incident happens, The Government and ruling parties have been managing the victim's families and public anger by paying compensation to the family.

The crime done by Government officials and non-accountability of elected representatives in ensuring good governance are compensated out of the State treasury. The visits of political leaders to the victims and demand for huge compensation and transfer of a few officials will not solve the problem unless the very system of governance has been improved.

There is no political will to implement the Constitutional mandate, policy and laws to improve the educational system, especially to ensure the education of SC, ST and women who are being neglected for centuries.

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## EQUIP GOVERNMENT SCHOOLS WITH ALL FACILITIES FOR QUALITY EDU

A recent trend of primary education in Odisha shows that private English medium schools have mushroomed where taking education has been too expensive.

These are very special schools carefully set-up for the super-rich class with air-conditioned digital classrooms, AC school bus and all other enjoyable opportunities such as Disney play, music, dance, sports, gymnasium, swimming pool and horse riding available at the school for the children. These schools advertise themselves to attract the parents to grab the best of the available opportunities for their children to get a quality education and for their holistic development in a fast changing globalised world. The State policy supports such initiatives by providing land in prime locations, legal clearances and all other incentives. There are a number of private companies, corporate foundations and trusts which have joined this profiteering venture.

The State ST/ SC Development (SSD) department is planning to set up English medium model public school in three tribal-dominated district of Rayagada, Mayurbhanj and Keonjhar in public-private partnership mode. On the other side, everyday media reports from different parts of the State portray a very disturbing picture about a vast majority of poor children in slums, villages and remote and inaccessible areas who are deprived of opportunities because their parents are illiterate and resourceless.

Even in spite of the attempt by the Government and the private organisations, many of the poor children are out of schools as dropouts and child labourers. Many Government schools lack basic minimum infrastructure and teaching staff. Article 45 of the Constitution says the State shall endeavour to provide within a period of ten years from the commencement of the constitution for free and compulsory education for all children until they complete the age of 14 years. The Right to free and compulsory education has also made it an obligation on part of the Government to provide quality education without discrimination.

However, it is very often reported that in many villages children are reading under trees and thatched roofs in hot summer, winter and rainy days seating on the floor without a roof over their head. There is no school building, classroom, blackboard, drinking water, toilets and non-availability of teaching staff. There have been reports of children suffering due to food poison and lack of safe drinking water. There are also reports of death of children due to wall breaking, snake bite and malaria etc. There are horrible reports from the ashram school run by SSD department, where children are being discriminated because of their social identity and poor economic condition.

The SC and ST children are being segregated and cornered in the name of their welfare and dumped into ashram schools. They are not only facing social segregation but also humiliation and deprivation and forced to manage with bare minimum against all odds. When they are leaving the place, they are forcibly brought back by the local administration and departmental officials to the hostels. The State Government and private organisations are running hostels for SC, ST and OBC students and promoting this identity-based social segregation of students in the State.

The poor condition of schools is very common in almost all the districts. Recently, it was reported that 44 students read under a temporary shed in Tikarpada primary school in Kansa panchayat of Sukinda block. Minu Behera (11) of Kankadahada block of Dhenkanal district got seriously injured when the roof of her school fell down on her during school hour. A tribal girl of Kolabeda Sikshashram was killed as a portion of the school wall collapsed on her. 12 girls of Laxmipur Kanyashrama in Rayadaga block were admitted to a Brahmapur hospital in serious condition due to consumption of polluted water in the hostel.

The quality of education and holistic development of children has been a cause of concern in Government primary schools. A majority of the parents who depend on Government schools for the education of their children are BPL families. In recent past, tribal girl students committed suicide due to failure of non-payment of tuition fee to school.

The poor parents routinely demand their share in midday meal programme and think less about quality education. Teaching and non-teaching staff are more focused on their occupational security, salary

and benefits without much concern for the overall change in the primary education sector of the State. It is unfortunate that the children of poor parents are deprived of quality education due to their poor economic status and the children are getting discriminatory treatment in availing education and all other rights in school. Their food, residential facilities, reading materials, dress, health and all other human needs are not taken care of by the Government.

While the Government is allowing rich people to send their children to most privileged private schools, at the same time the Government should seriously provide basic minimum infrastructure and staff to all schools so that the students reading there can have the opportunity to get a quality education in a dignified way.

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# CASTE, POVERTY HINDRANCE TO DALIT WOMEN'S GROWTH

Women of marginalised communities in the state of Odisha are confronting issues of discrimination and poverty while they are participating in public sphere and in many new areas like education, governance and development opening up for women. Along with prevalence of caste-based discrimination and atrocities, the poverty ratio is very high among Dalit communities in comparison to other social groups. Women are the most vulnerable section in the community who bears the most and placed on the lowest ladder of society and family.

With an unfair sex ratio, low literacy and high MMR clubbed with poverty and discrimination Dalit women have to face the challenge of development. The sex ratio of scheduled caste is 987 female in 1000 male as per 2011 census whereas in 1961 it was 1015. 90% of SC household lives in rural villages where women play a key role in managing the house. Women are engaged as agricultural workers, forest produce collectors, construction labour and many of them also do fishing, and fish marketing, cattle population, rearing domestic animals and other also do petty jobs to make a living out of it. The Equal Remuneration Act 1976 and Minimum Wage Act have very little impact in terms of ensuring equal and minimum wage to both men and women workers in the informal sector.

Atrocities by dominant big farmers and contractors and vulnerability of women workers at workplace very often reported in media. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and The Unorganised Sector Social Security Act, 2008 has not yet reached to women workers in rural areas. Women are mostly casual labourers, who get employment about three months in a year in agriculture and rest of the period they are self-employed along with household work.

Seasonal migrant workers take their family with them wherever they go. Women have to bear the burden of children, cooking and managing house while led a supportive hand to husband for livelihood. Mostly in brick kilns, construction work and domestic help in urban areas women are engaged in large numbers. The cleaning of

cities by women of manual scavengers community and domestic help in the urban household are mostly managed by poor women in slums struggling to live with basic minimum are mostly belong to Dalit communities migrated from rural villages. Landlessness has been affecting women in distress like single women, unwed mother and divorcee, those who have no shelter to stay. The homestead land distribution programme of Govt. has the provision of land Patta in the name of women and land for women in distress. There have been efforts in districts like Ganjam in this direction.

Women in rural village and forest areas still depend on common property resources to collect their food and household needs but the mining and industrialisation have deprived them of the benefit.

Industrialisation has brought rapid changes in the local environment and led to decreasing access to natural resources. In the mining and industrial areas like Jharasuguda, Keonjhar, Angul and Sundergarh women headed family and single women are facing acute poverty and social insecurity. There are incidences of trafficking of women, girl child labour, domestic violence, and atrocities against Dalit women reported in media. Untouchability in rural villages, caste-based discrimination and atrocities affect women more than others in the community. Women have to struggle every day with humiliation and discrimination at water bodies to fetch water, collect fuel and fodder, and at ration shops, PDS centres and market places.

Last 10 years of atrocity data against SCs shows that atrocity against women has been increased and in the majority of cases women are found as victims. The rape and murder case like Babina Behera of Arjunagoda village under Pipili PS in Puri district and Sujata of Kharnasi village of Mahakalpara PS in Kendrapada district, Kamdhenukote in Dhenkanal, Lathore in Balangir, Ranapada in Puri where women not allowed entering temple, are the best examples. From 2001 to 2012, 575 rape cases of SC women have been registered in different Police Stations of the state. There are hundreds of cases not being reported either in media or police stations due to fear of family and social problems and many of the cases have been settled by threat of perpetrators of dominant class with the support of police and ruling party agents. Dalit women have very limited access to justice in spite of protective laws and a strong support system has not been developed within the judiciary to deal with cases of women of caste discriminated communities.

Women of SC community in the state have not got a space as a representative in Loksabha or Rajya Sabha till date. In the urban bodies, there are also SC women elected as councillors and SC women elected as Chairperson of municipalities. Elected women representative in rural villages are being discriminated on caste ground and not being allowed to function freely. They are seen as inferior leaders in official functions even local block and Panchayat officials do not support them in development work. During elections, they are mostly chosen by local ruling party leaders and financially backed by them. Many literate and independent-minded women are deprived of participation due to poverty and lack of minimum financial strength to fight an election. There are also instances of elected women PRI of SC community in Angul and Kalahandi who got suspended due to the two child norm.

SHG of SC women are not allowed to cooking mid-day meal in School. The suicide case of an SC woman member of Maa Ambika SHG, in Rajanagar block of Kendrapada in 2010 was linked to caste-based discrimination in MDM. Sabitri Mallik of Sukarana Primary School of Sukinda block was not allowed to cook MDM, Anganwadi worker Satyabhama Mallick, was brutally attacked by the villagers in 2011. Jharana Mallick applied for the post of Helper in Kusapada Agawanwadi Centre, under Nihalprasad PS of Dhenkanal was not being selected.

About six lakh SC student are getting pre-metric stipend where girls constitute almost half of it. There are also programmes like residential school, dress, cycle, books and other support to ensure education for all in spirit with RTE Act. In the year 2005, Mamata Nayak, a Dalit college student of Nanput village under Khandagiri PS in the outskirts of Bhubaneswar was not allowed to ride bicycle in village road because of her caste identity. In spite of laws, provisions and programmes many girl students of SCs and STs are routinely harassed in residential schools and hostels. The state has hundreds SC and ST girls hostels which need to be improved to ensure not only quality of living but also dignity and security of inmates.

The women movement in urban areas primarily preoccupied with issues of women of upper class. Women of marginalised communities are being organised as beneficiaries of Govt. programme in the name of SHG at hamlet level without any attempt to build them as politically

responsible citizens to play a larger role in social life and to become assertive for women human rights.

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## VIOLENCE GALORE AGAINST HAPLESS SINGLE MOTHERS

There has been growing consciousness about woman human rights movements and change in patriarchal legacy as a global phenomenon.

Many of the concerns of gender discourses have been visibly reflected in Government's development policy relating to education, employment, governance and budget. But in many parts of Odisha, women are struggling amid age-old socio-cultural systems, male dominance, caste and ethnic barriers and bad economic policy of the Government.

The violence against women includes poverty, unemployment, gender discrimination, girl child labour, trafficking, sexual exploitation with a false promise of marriage and sexual harassment at workplace. The issue of unwed mother in Odisha is very well known to the State

Commission for Women (SCW), National Commission of Women (NCW) and the State Government. In 2004, the then NCW chairperson Dr Purnima Advani had expressed deep anguish over the rising cases of violence against the working women in the State and urged the State Government to intervene in the cases.

Moreover, many survey reports by women groups and news by print media established the fact that the issue of a single mother is more visible in mines and industrial areas like Joda-Badbil in Keonjhar, Talcher, Jharasuguda , Koida, Sundergada and Sukinda, etc.

Women organisations and a national platform of mining affected communities like NSS, Angul and MM&P came off with study reports on the single mother to highlight the issue.

It is evident that women are prone to different types of violence in mining areas and cases of a single mother suffering the worst are rampant. Marginalised poor, resourceless, unskilled and illiterate families, a majority of whom are farmers, Adivasis, landless Dalits, fisher folk and mines workers, are under pressure to earn a livelihood while coping with the changing local economic scenario.

Mineral extraction activities caused huge displacement, pollution, loss of livelihood of people dependent on agriculture, water and forest-

based subsistence economy which was providing them food security and informal self-employment in a number of ways.

There has been growing poverty, dislocation of families and breakdown of community life due to multiple displacements that affect women and make their position vulnerable, encouraging girl child labour as domestic maids, wage workers in mines, distress migration in families in search of livelihood, sale of girls by parents and social insecurity in family and community.

This kind of situation makes young women vulnerable when they go out to earn a living as they become easy prey of false promises of marriage and sexual exploitation through cheating.

Mining attracts the inflow of outsiders, truckers, casual workers in mining, contractors, and encourages consumer culture, liquor and different types of addiction, impacting the local people, mostly poor young women to get into the easy trap of sexual exploitation by a cunning male. Consent of young women for sexual co-habitation is taken fraudulently which results in unwed motherhood.

Leave apart mining, there are also male perpetrators in the villages, protected by dominant people of the locality, who are denying marriage in demand of dowry and avoiding the girls on caste, religion and community ground in the plea of their parent pressure and fear of imposition of social sanctions by villagers. In these cases, girls are being insisted to go for illegal abortion and threatened with gross atrocities if they expose the case in public.

It is observed that almost all single mothers are poor and live in extreme poverty while a majority of them are illiterate, unskilled and lack legal awareness to protect them.

The girls are routinely discouraged to go against the male as a culture and in the case of single mother, most women victims are being seen as the culprit by the family and society. There has been very limited awareness about the law and the local law enforcing agencies, Government officials and police and others.

The provisions of IPC Sections 493,417,317 and 506 are mentioned by police in the FIR but in a majority of cases, there has been no action.

It is observed that the protective laws for single women are not strong enough and the victims have to pass through a tedious legal procedure, as a result, the perpetrators easily manage to escape with very less punishment or without punishment. In the absence of compulsory and valid marriage registrations, the issue of DNA test has been a challenge to single mothers.

The single mothers face the problem of legal identity when it comes to rehabilitation and resettlement because they are not being recognised as a family for any Government benefits. Many of the schemes are not recognising single mother as women in distress.

The Odisha Rehabilitation and Resettlement Policy 2006 has a provision that the unmarried girl of 30 years of age in a family should be treated as a separate family but this has not been applied in the case of single mothers staying in the mining areas. There is no specific scheme of rehabilitation for single women who are deserted by an act of sexual exploitation.

The police, PRI leaders, media, CSO and local officials are very less aware of the issue who needs to be sensitised. The police play a crucial role in criminal justice administration but it is unfortunate that the role of police is very insensitive and discouraging in terms of filing of FIR and helping the young women victims with all sympathy and handling the case with a human face.

The police need gender training and orientation to deal with such sensitive cases. There has been the absence of women police station and women and child desk in police stations of mining areas along with adequate trained woman staff to intervene in women violence cases.

The SCW, Home and WCD departments and other related bodies should have a proactive role in intervening in the cases. The women bodies like SCW should have the adequate legal power to deal with such issues. The PRI institutions can identify them to rehabilitate through different schemes like homestead land, housing, food under PDS and employment etc. The periphery development funds should have provision for their rehabilitation and they should be treated as a separate family for rehabilitation in case of displacement.

The Government should ensure adolescent girls' health education, sex education, and awareness about compulsory and valid marriage

registration in high schools, colleges, Anganwadi and Mahila Mandals in mines areas.

The single mother should have socio-psychological and moral counselling support and guidance in their crisis when they are without support and get non-cooperation from both the sides, parents and the perpetrator. The Government should encourage women organisations in mines and industrial areas to play a proactive role of counsellor and facilitators along with all kinds of support and training to handle the cases in their locality.

Government and the women organisations should provide multi-level services like socio-psychological support, minimum financial assistance for livelihood, employment, and emergency child health care, legal aid to access justice and must promote understanding in society for women to have a life with dignity.

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## STATE'S UNORGANISED WOMEN WORKERS NEED PROTECTION

The economic development of a State depends on the well-being of its workers. The vulnerability of the workforce will have a negative impact on production and employment and ultimately on the quality of life and growth.

The socio-economic condition of women workers has not been improved in the absence of a proper policy, protective laws, social security and lack of unionism among the women.

Women workers in unorganised sector in Odisha are substantially contributing to the economic growth of the State in many ways but their socio-economic conditions have not been improved due to State apathy. The policy of affirmative action for women by the State has paid very less attention to the issues of women workers in the unorganized sector. On the other hand, there has been very minimal mobilisation of women workers by trade unions and social movements to address the specific issues of unorganised sector women workers. The continuous negligence of women workers by the State has a serious impact on their poor socio-economic condition where they play a major role in the informal economy.

Labour Bureau data in 2012 shows that labour force participation rate, worker population ratio and the unemployment rate in Odisha are lower than all India average. While the employment in organised public and private sector has been declining, more and more workers become dependent on the informal economy. The workers in the unorganised sector constitute about 93 percent of the total workers. The State Directorate of Employment data for 2012 shows that out of the total employees of seven and a half lakhs in public and private organised sector, women employee constitute 16.8 per cent only. Unorganised sector engages more than 90 percent of the total workforce and women workers in unorganised sector to constitute a major part of the total workforce. There are more workers among rural women than urban women and about 95 percent of women workers are concentrated in rural areas.

With increasing unfair sex ratio, women suffer from gender-based discrimination, patriarchy, male dominance in socio-cultural life,

illiteracy, resourcelessness and unemployment problem. The vulnerable condition of women reflected in form of girl child labour, trafficking of women, single mother, distress migration, hunger death and various forms of physical violence against women has been increasing in the State. The poor economic condition of women is very much linked to the scope of employment. The State has very low female workers participation rate and it is ranked in 20 among States in the country.

Women workers are found more in the primary sectors such as agriculture, forest produce collection, fisheries, service and infrastructural sector such as construction work, brick kiln, sanitary work, weaving and housekeeping work, artisan work, and in the hospitality industry. Their wage rate, security at workplace, maternity benefits, land and housing, healthcare, food security, old age benefits and skill up-gradation are a matter of concern for the development of the State.

The women workers have to deal with a large number of intermediaries such as the private employer, vendor, Government officials and dominant market forces to ensure regular employment and income for their hard work.

Women are the mainstay of the agriculture sector as cultivators and agricultural workers. There are more vulnerable women workers like women engaged in manual scavenging, cleaning and washing in the municipality, hospitals and private houses of urban areas. These women are suffering from several health problems in absence of protective equipment in hazardous nature of work. They also work with low wage for long working hours without any holiday. Several health status surveys have established occupational health problems of these women.

The current trend of non formalisation of the sanitary work has been affecting their employment in the absence of any protective laws for them. The women migrant workers in brick kilns are routinely facing all forms of exploitation by the employers. Even child labourers are being engaged in this work. Mostly the families with extreme poverty without local employment usually migrate in distress to such kilns for a bare minimum of life where women have to pay a heavy price in managing the livelihood of the family. Similarly, women workers engaged in forest produce collection, fuel wood and kendu leaf are

deprived of getting a fair price for the products and face harassment by officials. The women in fishing and allied activities have to face the exploitation of vendors because of the self-employed nature of their work.

Many women workers are facing double violence both at home and workplace. Domestic violence and managing household work with care for elders and children always is an additional burden to women in the family. There is almost absence of crèche facility for women workers in the unorganized sector. The women very often face the problem of sexual harassment at workplace in spite of the 'The Sexual Harassment of Women at Workplace (prevention, prohibition and redressal) Act 2013 to protect the women workers but the implication of the law has been limited to the urban, educated and organised sector. It has not yet reached to the women workers in unorganised sectors of the State. They are not being organised as women and as workers, against domestic violence and sexual harassment at workplace.

Trade unions are often male dominated and concentrate more visible urban areas. The five lakh women self-help groups (WSHG) in the State with a vast presence are limiting their activities to micro credit business without any involvement in the rights based work. Thousands of women leaders elected to Panchayat Raj Institutions (PRI) through local self-governance has not yet intervened in any of the women issues and only limiting themselves to the routine Government work and ruling party meetings. Whereas it was expected that the social movements, WSHGs and women PRI leaders have to work collectively for the protection and development of women, they can be agents of enforcement of protective laws for women in ensuring a minimum wage, social security, protection and dignity of women in general and women of the marginalized section in particular.

Along with a strong policy for women in the unorganized sector, the protective laws and programmes need to be implemented with efforts of the State, trade unions, social movements, women PRIs and WSHGs in order to bring change in the life of women in the unorganized sector. The Equal Remuneration Act-1976, The Minimum Wage Act- 1948, The Employment of Manual Scavengers and Construction of Dry latrine Prohibition Act-1993, The Unorganized Workers Social Security Act-2008 and programmes such as MGNREGA, Rashtriya Swasta Bima, maternity benefit, housing,

land distribution and skill development are needed to be combined to address the issues of women workers.

The enforcement agencies such as departments like the Labour, Home, Women and Child Development and ST and SC Development, the State Commission for Women and the Labour Commission should work closely to protect women by enforcing protective laws and ensure their development through skill development and basic entitlements. Skill up gradation of women is an important area where the State investment is highly required. It is unfortunate that the State Government is not opening any women ITI in the State in that direction. There should be women ITI in every block. The National policy on skill development has to be grounded with allocating adequate resources.

The protection enjoyed by organised sectors under law and trade unionism should be extended to the women workers of the unorganised sector and especially to women who are most vulnerable among the workers.

The State Government needs to come forward to democratise the protective measures and development process to reach the most productive section of society and their contribution to the growth of the State economy has to be recognised by State action to develop their condition in building a dignified life.

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# LET INDIGENOUS PEOPLE ENJOY THEIR RIGHTS FREELY

The International Day of World's Indigenous People' is held on August 9. It was first proclaimed by the General Assembly of the United Nations in December 1994. The first decade was from 1995 to 2004 and the second decade is from 2005 to 2014.

There have been arguments to assimilate indigenous people to the mainstream to improve their material well-being, living and working condition which is mostly based on the presumption of their inferior status.

The other argument recognises the aspiration of indigenous people to exercise control over their own institutions, ways of life and development and to maintain their identity, language, culture and religion. This has been supported by the ILO convention in 1989.

At the international level, there has been growing visibility of indigenous people and their rights are well recognised by different conventions of the ILO. The UN declaration on the rights of indigenous people was adopted by the UN General Assembly in 2007.

A large number of countries, including India, have recognised the rights of indigenous people especially cultural rights and land rights. Many of the countries such as Canada, Brazil, South Africa, USA and Japan etc. have reparation programmes to ensure their representation and development.

In India, the Constitution has made special provisions to declare territories within State as Scheduled areas and have reservation in governance, education and jobs for historically discriminated and marginalised people, including the indigenous people who have lost their land, language, culture and spirituality due to colonisation and many other reasons.

Odisha is home to a vast number of indigenous communities having different cultures, languages, value systems and faiths which are distinct from others. It has enriched the cultural richness of Odisha.

But it is unfortunate that the difference and diversity have been under threat from the dominant culture and the ongoing mega projects in

the State. It has been observed that in Odisha, the land of indigenous people is full of natural resources, minerals reservoirs, forests, mountains, water, waterfalls, sanctuaries, national parks, natural herbal gardens, animals and rare species.

The indigenous communities have rich cultural and value practices, music, folk song, painting, weaving and herbal medicine. Their democratic values are still being practised in the community.

Many of the mega projects like mining, big dam, hydropower projects, steel and aluminium industries, thermal power plants and SEZs are coming up in the fifth schedule areas.

Displacement in tribal areas paves the way for distress migration and change of ancestral land and extinct of culture, language and a life as indigenous people. There is no scope of revival in the new settlements and thousands of families are migrating to slums by disintegrating the community.

The State has been routinely suppressing the resistance of indigenous people against such projects and using violence against people's movements as it happened in places like Kalinga Nagar, Maikancha and many other parts of the State. Even many genuine resistances are branded as anti-State and anti-development. Innocent people are being sent to jail. There are thousands of such cases against Adivasis and many are in jail without a fair trial.

The indigenous people are being discriminated by dominant caste as inferior to them even there is the practice of untouchability against them in public places. A three-year-old Parsuram Munda, son of Rinu Munda of Khendara village in Keonjhar was prevented from touching boiled egg and poured hot water by the Anganwadi helper as punishment. Many Adivasi groups are branded as criminals and thieves and their socio public image has been disfigured with so-called anthropological research and media reports.

The indigenous communities are being converted and motivated to the dominant religious practices and value systems and their own belief systems and spirituality are not being recognised and respected.

The Ashram schools run by the SC/ST Development Department and several NGOs are not encouraging the children to respect and practice

their own culture and language; rather they are being introduced to the cultural practices of dominant culture and religion.

The historically symbiotic relationship among different indigenous communities like Dalit and Adivasis are being fuelled with communal and casteist discourses of inferior and superior ideas, leading to ethnic conflict and violence in places like Kandhamal and Narayanpatna.

The participation of indigenous communities in governance has been very limited to reserve seats as a matter of legal formality and political parties are accommodating leaders of their choice rather than the community representatives.

The communities are getting divided as supporters of different party candidate representative of different political parties rather than electing someone in a democratic process. This affected the unity of the community in building political agencies of the communities to bargain for political power with the State and others. Religion is used for political mobilisation and propagated for a petty political gain of the ruling parties.

The Adivasis identified as Primitive Tribal groups (PTGs) have relatively very less representation in all spheres of social life which needs very special attention. The last general elections saw an elected MLA belonging to Bonda community after 65 years of independence of India.

Similarly, Baya Mankidia became the first matriculate of the community in the year 2012. The Juanga community in Keonjhar district is still in extreme poverty.

The indigenous people are organising themselves for their all-round development and bring an end to discrimination in any form and oppression and exploitation hindering their development.

The Indigenous People's Forum Odisha (IPFO), a State level forum of different Adivasi community leaders and activists, which has been observing the World Indigenous People's Day over last three years, is demanding implementation of constitutional rights and UN declaration on the rights of indigenous people.

Nicolas Barla, Theophilous Gamango, Deme Oram, Damayanti Kumra, Bheronika Dungdung and Laxmi Hansada, leaders of the

forum, argued that though the tribals and Dalits constitute almost one-fourth of the State's population and nearly 50 percent of the geographical area of the state is 5th Scheduled area, but they are neglected by the elected Governments, both at State and the Centre.

The forum has organised a public hearing at Bhubaneswar to highlight the plight of Adivasis and expose the non-implementation of constitutional mandate and laws like PESA, FRA, TSP and a number of related legislations.

The indigenous people of the State are still being victimised by the Forest and Revenue officials. They argued that though the Government and civil society organisations have been playing a major role in the development of the Adivasis but the Adivasis have very insignificant participation in these organisations including media and international aid agencies.

They opposed the display of Adivasi statue as exhibition material and showpiece of traffic inlands in Bhubaneswar city. Adivasis are also human being and need to be treated with dignity.

They should be allowed to exercise their rights as a human being and as equals to others, to get free from all kinds of discrimination and exploitation.

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## ODISHA'S MINORITIES NEED ATTENTION FOR THEIR GROWTH

The Constitution of India guarantees equal rights to all its citizens irrespective of their identity based on religious faith and it's the beauty of India which respects diversity and home to different religious faith. The United Nations promulgated the declaration on the rights of the persons belonging to national or ethnic, religious and linguistic minorities in 1992. Based on the provisions of The National Commission for Minorities Act 1992 the Govt of India has notified Muslim, Buddhists, Christians, Sikhs, Zoroastrians/Parsis and Jains communities as religious minority communities in India. India is the third largest Muslim-populated country after Indonesia and Pakistan with 13.4 percent of the total population belongs to the Muslim community, which constitutes 73 percent of the total minority population. Buddhism, Jainism and Sikhism have its root in India with a vast presence.

The vibrant India should be inclusive with the development of its minority communities who are lagging behind every aspect of human development indicator in comparison to other social groups and almost underrepresented in different spears of socio-economic life of the country. There are also groups within minority community who are in most disadvantage condition and vulnerable within the community due to their social identity. The Nation has to protect its minority and make efforts for their all-round development at par with other citizens of the country.

The Census of 2001 says 94 percent of the total population of Odisha belongs to Hindu community and the rest are a minority which includes 2.44 percent Christians, 2.07 percent Muslims, 0.03 per cent Buddhists and 0.05 per cent Sikhs, 0.02 per cent Jains and 0.05 per cent others. The literacy of Jains is higher with 94 percent followed by 91 percent for Sikhs, 72 per cent for Muslims and 71 per cent Buddhist whereas the Christian's literacy is only 50 per cent which is very low in comparison to other minority communities. The minority population has a sizable presence in rural and urban areas in districts like Bhadrak, Kendrapara, Baleswar, Cuttack, Jajpur, Khurda, Puri, Gajapati and Kandhamal.

Gajapati district has been identified as a minority concentration district. Odisha being a backward state, the minority population's socio-economic condition is most vulnerable because of their minority status, identity-based discrimination, sense of insecurity and non-representation in the socio-economic and socio-political spear. There are also groups who bear the historical injustice against them as a distinct social group. The improvement of the socio-economic and educational status of minority communities is a matter of concern.

Numbers of studies have established that the poverty and unemployment level is very high among minorities and their habitations lack basic amenities like housing, drinking water, sanitary facility, linking road and electricity. They have very minimal access to basic services provided by the Government due to the prevalence of identity-based discrimination by other social groups and lack of productive assets like land. The majority of the minority community in the state are landless and lack of homestead and agricultural land. The minorities in urban areas are homeless and live in temporary shelters.

The situation of minority women and children is more vulnerable in the family as the prevalence of child labour, child marriage, trafficking, poor health condition and violence against women is very much visible in the community. The experiences of communal violence in different parts of the State show that women are prone to all kinds of abuse and most insecure in social life. The issues of minority women need most urgent attention in the overall minority development agenda with a focus on education, health and employment.

The two most important reports on status of minorities have exposed the truth are a report on socio-economic and educational status of Muslim communities in India by Justice Rajindra Sachar, former Chief Justice of Delhi High Court and former Chief justice of Supreme Court of India Justice Ranganath Mishra commission on status of religious and linguistic minorities in India. It has been recommended in different times for affirmative action for religious minorities to protect their rights and ensure their participation and inclusive development through mainstreaming the communities with respect for their identity.

The Ministry of Minority Affairs set up in 2006 along with National Minority Commission and National Minority Development and Financial Corporation (NMDFC) have an agenda to focus the development of minority communities. There are also State Minorities' Commissions in sixteen states excluding Odisha.

The State Backward Class Finance and Development Corporation is the channelling agency for financing for the economic development of families belongs to a minority community under the administrative control of ST and SC Development Minorities and Backward Classes Welfare Department, Govt. of Odisha. There is the provision of access to credit facilities through public sector banks. Reserve Bank of India has issued its master circular on priority sector lending for improving credit facility to minority communities and bank branches to be opened in areas with substantial minority population.

The Department of Personal and Training, Govt. of India has issued instruction in 2011 to Home, Human Resource Development and Health and Family Welfare Ministries to increase employment share of minorities in police, teaching and as health workers and ensure mandatory involvement of minority community representatives in selection boards for making recruitment to ten or more vacancies.

National Commission for Minority Educational Institutions has been set up in 2005 under NCMEI Act 2005 to approve minority educational institutions along with the development of educational infrastructure to impart quality education in areas having minority population.

There are a number of provisions and schemes such as pre-matric, post-matric scholarship to students, merit cum means based scholarship schemes for higher study and professional education, free coaching for entrance exam like OJEE and AIEEE, skill development for youth, technical educational institution like ITI and ITC in minority areas, women development, promoting microcredit among minority women and loan for entrepreneurship development with 3percent rate of interest to families having income below the poverty line.

The Maulana Azad national fellowship for minority students provide integrated five-year fellowship to pursue M Phil and PhD in the universities and institutions approved by UGC. The foundation

promotes education among educationally backward minority communities and girls students.

It is unfortunate that many of the Central Government schemes and programmes are not being properly executed in the state depriving the minority communities of their genuine rights to access Government programmes for their development. There is very limited awareness among minority communities about such programmes and provisions in rural areas due to lack of institutional mechanism though there is the provision of monitoring committees at state, district and block level under the Prime Minister 15-point programme for minorities.

The state-level committee on Prime Ministers new 15 point programme for minorities headed by Chief Secretary should take a regular review of the matter but this has not been happening which affects the agenda of minority community development in the state. Even the district and block level monitoring bodies are not meeting in regular interval to take a review of the implementation of various schemes and programmes. Many of the standing instructions such as opening ICDS centre, school, and appointment of a teacher, housing, and employment provisions in minority areas are being delayed with bureaucratic hurdles by concern departments. The multi-sectoral development programme in Gajapati district should be extended to other minority concentrated pockets to reach to all sections of the minority population. The minority population in urban slums should have a programme to improve their economic condition and basic infrastructure for a decent living.

There has been a lack of disaggregated data about the minority population of the state to plan and review the status and development of minority communities. Many political parties have minority cell to satisfy the minority community without a fair representation in party structure and scope for participation in local, state and national Governance bodies. The Government of Andhra Pradesh has initiated inclusive policy for the involvement of minorities in urban and rural local bodies which other states should follow in line with the advisory issued by Ministry of Panchayat Raj and Urban Development. The minority communities in Odisha are worst sufferer because of their insignificant number and absence of minority political mobilisation which does not bother political parties in electoral politics. The state should have a separate minority department with dedicated staff to

look into the protection and development of minorities and it should be headed by a Minister from the minority community.

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## BACKWARD CLASSES YET TO GET LEVEL PLAYING FIELD

The deprivation of basic rights and equal opportunities of different communities due to their social status, economic and educational backwardness has been identified as one of the major hindrances to our national growth.

The makers of modern India have identified social realities of our socio-political structures and ensured equal opportunity for all its citizens through constitutional governance and made provision of State interventions in the form of reservation as affirmative action to create scope for all by their participation to contribute towards nation building.

Affirmative actions have also been accepted as a process to counter the hegemony and dominance of the majority and protect the excluded for larger inclusiveness by minimising disparity and inequality in national socio-economic and political sphere as well as in democratic governance.

The Article 46 of directive principles of State policy (DPSP) a special Article 340 of the Constitution say about the role of State and appointment of a commission to investigate the condition of socially and educationally backward classes and make recommendations to improve their condition.

The constitutional mandate came into force by a Presidential order in 1953 and the commission under the chairmanship of Kaka Karleker submitted its report in 1955.

The commission identified 2,399 backward castes/communities out of which 837 are classified as most backward. Way forward the Centre asked the States to prepare their own list in 1961 but the Government of Odisha finally made a list in 1994 on the basis of report by Justice NC Das Commission after the Supreme Court judgment in reference to Mandal Commission recommendation while the southern States like Andhra Pradesh and Tamil Nadu have made a good beginning on the matter of development of backward classes much before. These States have the provision of reservation for backward classes even before independence and Tamil Nadu has 69 per cent of reservation with protection in the ninth schedule. Historically the backward

classes of Odisha who constitute a vast majority of the State population are being neglected for a long time.

There has been no State initiative for backward classes whereas a number of States have taken exemplary efforts for the participation and development of backward classes.

The Government of Odisha enacted Odisha State Commission for Backward Classes Act 1993 to help the Government in preparing the list of backward classes in the State from time to time with a ten years review for the purposes of making provision for the reservation of appointments or posts in favours of the backward classes, which in the opinion of the Government, are not adequately represented in the services and any local or other authority within the territory of Odisha or under the control of the Government of Odisha.

This is in the spirit of the Articles 16 which says equal opportunity in the matter of public employment and 16(4) which says about the State initiative to ensure employment for SEBC. In addition to employment the Article 15(4) says about reservation of seats on the basis of caste and communities.

Based on the criteria of socially, educationally and economic backwardness the Government of Odisha notified 209 castes/communities along with their synonym in different notifications as SEBC. The Union Ministry of Social Justice and Empowerment notified 194 castes/communities along with their synonym on the basis of the recommendation of the National Commission for Backward Classes as Other Backward Classes in Odisha.

The backward classes lag behind in every aspect of social development in comparison to few forward communities of the State. A vast majority of them are backward in education and possession of economical asset less. Many are sharecroppers, small and marginal farmers and artisans, cattle rearers, barbers, small traders and mostly inhabitants of rural villages. It has been increasingly difficult for these poor families to provide education to their children. The privatisation processes has posed a challenge before the economically poor communities including backward class to pursue education in the absence of State protection.

Backward caste youth along with others in rural villages are migrating outside the State in search of employment. The traditional caste structures have identified them in the lowest ladder of Varna system as the service provider.

The rigid socio-religious orders have historically restricted their entry to the power structure and own productive resources for a dignified life. It has been evident that backward classes have a very marginal presence in governance, executive, judiciary, media and political party's decision-making process. Many studies and reports have established this fact. The backward class movements in the State have been demanding for a fair representation of their community in proportion to their percentage in every sphere of socio-economic and political life.

The Odisha Reservation of Posts and Services (for socially and educationally backward classes) Act 2008 has the provision of 27 per cent reservation with upper age relaxation in the appointment of candidates of backward classes, but this has not been implemented due to judicial restrictions of limiting reservation to fifty per cent. Not only reservation in jobs and educational institutions, there are a number of centrally sponsored schemes and programmes which have not been effectively implemented in the State.

The Backward Class Welfare Division under the Union Ministry of Social Justice and Empowerment has made institutional arrangements such as National Commission for Backward Classes set up in 1993 under the National Commission for Backward Classes Act, 1993 and National Backward Classes Finance and Development Corporation (NBCFDC) in 1992 to facilitate the economic development of the backward classes by providing loan with nominal interest along with programmes like development of skill, agriculture, small business, artisanal work, technical and professional trade, transport and service sector. It has made provisions of schemes for women and self-help groups and micro-credit programmes.

There are specialised training programmes for youth skill development through technical institutions but the Odisha Government lags behind in tapping such opportunities in spite of its huge migration and unemployment problems. The Odisha backward classes finance development cooperative corporation Ltd is the State channelling agency but consistently the agency has very poor



performances whereas the States like Kerala, Tamil Nadu, Andhra Pradesh and Karnataka have made exemplary work.

It is also being observed that the involvement of civil society organisations in OBC development is very insignificant in comparison to other States in Odisha. The Ministry grant list for 2013-2014 shows a good involvement of NGOs in Gujarat and Maharashtra with a very marginal presence of Odisha.

The Government of India has been sponsoring Post-matric scholarship, Pre-matric scholarship, and construction of hostels for OBC students for promotion of education among OBC. There are Central Government schemes of national fellowship to pursue higher study, MPhil and PhD and also a national oversea scholarship for OBC but sadly, there is a lack of awareness about all such schemes.

It is good that the State Government ensured backward class participation in local self-governance by enacting a law of reservation in Panchayati Raj Institutions. It has paved the way for the involvement of the communities along with women in governance and development work of the State but such initiative should be extended to the other areas such as job, education and development work by the enactment of laws and provisions with financial allocation for building an inclusive development of Odisha.

Odisha should send its officials and peoples representatives of backward classes as exposure to southern States and based on their learning it must have a road map with the institutional arrangement and financial allocation for the development along with a change in policy and laws in support of backward classes.

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## STATE'S UNDERPRIVILEGED MUST GET LEVEL PLAYING FIELD

Democracy at the grassroots cannot be strengthened without a tradition of public service and spirit of voluntarism. These promote cooperation among people and between the people and the Government, said by former Prime Minister Atal Bihari Vajpayee in an address to an All India Conference on the role of the voluntary sector in national development in 2002.

He compared nation building to a chariot that is driven by five horses such as the Central Government, State Government, PRIs, the private sector and voluntary organisations. There is a national policy on voluntary sector in 2007 and the Planning Commission has recognised the increasing role of voluntary agencies in national development. In the recent times, social development organisations have been recognised as an important part of social sector along with other actors of social development.

The privatisation process has reduced the role of Government and paved the way for increasing role of NGOs. Huge public money pulled from various sources is spent by private organisations in social sector spending. The social sector becomes a source of employment and many professional courses are designed by institutions to meet the demand. The character of social work has been qualitatively getting transformed to fit into modern management.

In a backward State like Odisha with huge poverty, backwardness in health and education, the issue of social inclusion is important because of a large presence of marginalised communities who lag behind almost in each and every aspect of human development and their under-representation in different walks of life is a matter of concern in the context of their overall development.

Their sufferings are linked to age-old feudal social structure, caste, patriarchy, religious traditions and customs which are still prevalent in social life and shaping the identity of people in society.

It is not just the programme of poverty eradication but also the representation in decision making, planning and execution of plan and programmes by the underprivileged is important. Because they are not given a chance to play a role in social life for centuries,

generations together and forced to segregation, occupational restrictions through religious sanctions and limiting themselves to their own social sphere.

The social sector actors play a vital role in promoting social development but the sector itself should be inclusive of all social groups to ensure democratic participation through representation of all. But it has been observed that the social sector in the State is monopolised by a few without a proportionate representation of marginalised groups such as Dalit, Adivasis, minorities and women.

In Odisha, they constitute a major part of the population and remain under-represented in the social sector. It has been told that their representation will ensure participation and lead to development but the private social development organisations, NGOs, trusts, societies, welfare associations, religious bodies and corporate foundations operating in the State with support of Government, international agencies, bilateral and multilateral projects, public sector undertaking for social development of the poor and marginalised are largely underrepresented by people from marginalised groups while there is a need for promoting voluntarism, self-help among these groups for their development.

It is being observed that along with other activities, majority of the organisations mostly focus their work on Adivasis, Dalits, minorities, women, urban poor but the leadership in board and staff structure, decision-making bodies of many of these organisations remain in the hands of men belonging to upper class and upper caste and the social composition of these organisations has not changed to include the historically left out communities.

The social workers of the sixties with Gandhian and Marxist ideology are mostly from the educated upper caste communities of Odisha who have volunteered commendable work among the poor and marginalised in remote, rural and tribal areas but their decades-long intervention has not promoted effective leadership from among marginalised communities.

Barring a few upper caste women, the women of the marginalised groups are almost invisible as actors of social development in a leadership role. Why representation is important because it is accepted worldwide that self-help and self-initiative are vital to change. That is why a women commission is headed by a woman;

minority commission headed by representatives of minority communities, SC and ST commission headed by representatives of these groups. It will give confidence and boost the morale of these groups with a sense of equality.

It is further observed that a large proportion of development spending is targeted to the historically marginalised communities and the benefits generated in the form of employment and other ways largely goes to the employees of development sector who are mostly men from upper caste and upper class.

They also publicly have the privilege to crown with social recognition as the liberator of these historically marginalised groups. There are thousands of self-governing NGOs and hundreds of donors operating in the State without an inclusive social character and shamelessly justifying their work with availing a more decent benefit than the identified beneficiaries of their work. Why such contrast that the people working for change are not changing the social character of their own sector.

It has also been reported that the senior functionaries in the social sector are not sensitive to social issues of caste and gender and the mindset affects the decision-making process.

There have been also complaints of gender-based discrimination, sexual harassment, untouchability practice and caste-based discrimination, supremacy, ethnic and religion based discrimination which need to be considered seriously while building inclusive values. The national policy on voluntary sector in 2007 and the 12th five-year plan (2012-2017) social sector have identified a major task to empower the SCs and STs to participate in society and nation building on an equal basis with others.

As part of the affirmative action in the social sector, the Ministry of Social Justice and Empowerment and Ministry of Tribal Affairs put terms and conditions under the schemes of grant in aid to voluntary organisations working for the SCs and STs.

It is said that the organisation will make reservations for the SCs and STs, etc in the post and services under their control on the line of the instruction issued by the Government of India and as amended from time to time.

The Constitution of India speaks about equality to ensure social justice. In the Government jobs, the marginalised groups are somehow represented due to a policy of affirmative action in form of reservation.

This has to be realised in social sector which carries the ideas of affirmative action by making space for all including women and all social groups, minorities in their decision-making process, planning and execution work by sharing available resources, opportunities and benefits.

It will have a wider impact on social life and promote a culture of equality and fraternity among social groups.

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# DALIT FREEDOM FIGHTERS OF ODISHA.

## HISTORY OF FREEDOM STRUGGLE IN ORISSA AND DALIT COMMUNITIES

Orissa has a written history of some 2300 years from the Days of Kalinga war in 261BC. Kalinga was thickly populated and peoples' democracy was in governance. There were the Janapadas, the People's Republic. Buddhism was the religion of the state.

The other name of Orissa was Kalinga, Utkal, and Odra. In 1568, Afghans controlled the area, between 1576-1707, Mughals controlled the state by defeating the Afghans, during 1707-1751, Bengal Nawab and the Marathas became the rules of Orissa between, 1751-1803. The British colonel Harkote on 14 October 1804 occupied Barabati Fort, Cuttack and Orissa came under the British rule. The various other parts of Orissa merged under British control one after another. Southern Orissa was occupied by the British in the year 1859 by defeating the French.

Under the British rule, Oriya-speaking tracts remained divided into three provinces of the British Indian Empire for a long period. Southern Orissa (undivided Ganjam and Koraput districts) remained in Madras presidency till 1936. Western Orissa (Sambalpur district and its adjoining princely states) remained in central province till 1905. The Mughalbandi districts (Balasore, Cuttack and Puri) and their adjoining princely states constituted the Orissa division of Bengal presidency till 1912 and thereafter, of the province of Bihar and Orissa. While the districts like Ganjam, Koraput, Balasore, Cuttack, Puri and Sambalpur were under direct British administration, the 26 princely states enjoyed internal autonomy but owed their allegiance to the paramount British Power and were also guided and control by the later. (Freedom Struggle in Odisha, VI-1, Department of culture, Govt. of Odisha)

Modern Orissa came into existence on April 1<sup>st</sup> 1936 on the basis of linguistics with six districts: Cuttack, Puri, Balasore, Ganjam, Koraput and Sambalpur. The other feudatory states joined Orissa in 1949 and finally greater Orissa came into existence comprising 13 districts.

Freedom struggle is a struggle for legitimate rights. The mobilization and movements of the people and elite (traditional and modern) for assertion of their rights in colonial Orissa can be classified into four categories the rebellion of *Rajas* and *Zamindars*, the popular insurrections in the princely states which later on got transformed into Prajamandal movement, Oriya in the second half of the 19<sup>th</sup> century that crystallized in the shape of *Utkal Sammilani* in 1903 was a movement to build up a strong and united Orissa, free from the dominance of non-Oriya intermediaries as an integral part of federal India. Though it was a movement of all Oriyas, irrespective of caste, creed and social status, it was dominated by the elite and could not remove the dichotomy between the elite and the people. It also remained isolated from the nationalist mainstream. The congress movement which started in 1920-21 had a much better mass orientation and influenced all walks of life.

Different sections of people had different perceptions of the freedom struggle. The people's struggle was directed against internal as well as external colonisation by *zamindari* system, local princes and all British.

Freedom for the Dalit people was to liberate them from the exploitation by the external as well as internal socio-political and socio-economic system run by the upper caste rulers and British imperialism. It was to liberate them from untouchability and caste discrimination and to establish rights over land, forest, water and other resources of livelihood. The ruling class was represented by upper caste *Jamindars* and princes and their saviour: British imperialism.

Dalit communities were deprived of education and rights over means of production and resources like land, forest and water for survival. They were persecuted in sub-human conditions and constantly being subjugated to live an undignified life because of their caste identity.

The local princes and *Zamindars* were despotic on them with all types of menial physical labours and they were forced to carry out all types of physical work without any remuneration. From generation to generation, they were in bondage and forced to live in inhuman conditions.

Farming, weaving, animal rearing, drum beating, leather work, washing, fishing were the activities done by the Dalit communities.

Dalit communities are the producing communities without ownership over any resources and to the extent, even their own physical resources were not owned by them. The Dalit Communities also served as village night watchman and seasonal soldiers in the army of the feudal lords and the local princes during war and conflicts. The perennial onslaught of flood, drought and cyclone had been breaking the backbone of the people of the state and the tax imposed by the feudal lords, local princes and kings and British governments was an additional burden to the people of all class and caste.

Dalit communities had to contribute their free labour without any remuneration for the public works and also private works of the feudal lords and the local princes in the feudatory states. Along with the free labour, they also had to contribute their produces like fowl, Goat, fish, agro-produces as gifts to the feudal lords, local princes and British officials. Some of the Dalit communities were forced to do manual scavenging, leather work, grass cutting to feed horses and other domestic animals in the houses of feudal lords, kings and British officials. The menial domestic works like washing and cleaning as service to all caste people were mandatorily being carried out by Dalits.

Dalit communities were not allowed to wear decent apparel and ornaments and were forbidden even to build good houses. They had to live at the outskirts of the village in separate ghettoised settlements. They had separate bathing ghat, cremation ground and in some places, Dalit were not allowed to walk on the village roads inside the settlements of caste-Hindu people.

Any lapses committed by the Dalit culminated with heavy punishment by the upper castes, feudal lords, local princes and British officials. The British government first recruited the Dalit as village guard and postal runner for their courage and hard work to serve the administration which was the only available scope of participation in the government offices.

The rulers like Maratha, Mughal, Afghan, Muslim and British rule had not touched the issues of untouchability and caste because the issue was more political and religious, the rulers were never inclined to disturb the fundamentalist sentiment of the Caste Hindu people in order to perpetuate their rule. The British government was reluctant



to interfere with the social customs and prejudices associated with the practice of untouchability.

The British not only followed the policy of neutrality and non-interference as regards to the disabilities of the depressed classes but also in some cases violated the principles of equality and justice by giving undue weightage to the socio-religious Customs of Hindus, which reinforced untouchability.

Thus, there were no major changes in the lives of Dalit communities even after British rule. It was the same as before during the feudal lords and King rule. The Oriya renaissance and intellectual development was ushered in with the entry of British rule by the establishment of schools and vernacular language printing press.

The initiative undertaken by the Gandhian activists and political workers of radical wings first intervened in the matter of untouchability and created a wide scope for education of the Dalit offspring's and it was also the conviction of the national leaders like Gokhale, Tilak and Gandhi the one needs to bring in the depressed classes into the fold of anti-British struggle as otherwise the movement would have been weakened due to its partisan hue. The scope of education had created few educated Dalits and made them self-conscious and assertive of their own issues.

Educationally, the Dalit community remained very backward because of their universal exclusion from common schools and also because of their epidemic poverty during the British rule.

According to the census of 1931, there were only 19 literates in every one thousand of their population as against 95 literates in every one thousand of the total population of India.

In 1931, there were only two persons belonging to the depressed classes in the central secretariat and its attached offices. Because of the caste prejudices, the depressed classes were virtually excluded from the military and police services.

As stated by Mr. Kanduri Mallick, that during his student days in 1942 in Cuttack as a student of Ravenshaw Collegiate School, there was none in the city to rent out his house for the untouchable students, there was none in the city to rent out his house for the untouchable students. However, he along with the others managed to avail one

Muslim house to use it as a mess for untouchable students. *Kaibalya Kutira* was the name of the hostel for untouchable students.

Attempts were made by some inspired freedom fighters of the upper social strata for the Dalits in facilitating education which were vehemently opposed by most caste Hindus. Mr. Gangadhar Rath in his autobiography mentions about the incident in Jagatsinghpur district relating to a school for Dalit Boys, where a school built to impart primary education to Dalit Children was burned by the upper caste community leaders in the village and the incident had passed off without protest and unnoticed.

*Utkal Harijan Sevak Sangh* had played a pivotal role in promoting primary education for Dalit offspring's after its formation in 1933.

The Dalit movements in Madras, Bombay and Calcutta had no link with Orissa. As a result, historically Dalit movement in Orissa was totally neglected without any link with the all India movement.

Dr. Ambedkar joined Indian politics in the early 1920 but he could not give his organisation a pan-Indian mould. As a result, the Dalit communities in Orissa had been more inclined to the Congress, Socialist and communist banners during the freedom struggle.

The Dalit communities played a pivotal role in the anti-feudal and anti-British struggle in Orissa. Very emotionally, they joined the movement by the call of the upper caste leaders without any hesitation and had shown complete loyalty to the then leadership. But it has been observed that the issues of untouchability and caste discrimination were not systematically addressed by the leaders. Dalit leaders during freedom struggle devoted their time and resources for the freedom struggle. Dalit leaders have to struggle hard to create space for themselves in the organisations run by caste Hindus. On the one hand, they had to struggle against untouchability and on the other hand, they had to struggle against the feudal lords, "kings" and British.

The leaders from Dalit communities were not accepted as general leaders of the mass. Rather, they were nomenclature as leaders of Dalits only in spite of their contribution to the general social-political movement of the state.

The Dalit communities offered large participation in the militant struggles, rallies, demonstrations and public meetings but their struggle and leadership has not been recognised due to the caste mindset. And, on the other side, the issues specific to Dalit communities like untouchability, caste discrimination, rights over land and other resources and access to education which are very fundamental to Dalit struggle has been waylaid and neglected by the so-called mainstream organisations in the name of national development. The leaders of the freedom struggle are mostly from upper class and upper caste. Even, leaders of the progressive working class parties, communist and socialist parties in Orissa are also from the upper class and caste socio-economic background. The organisations mostly appropriated the leaders of Dalit communities and did not allow any scope to Dalit leadership for its independent growth. As a result, Dalit leaders, in general, are followers of the so-called mainstream leaders but they never ever are encouraged to lead others through more than 40% of the population in Orissa comprise of Dalits and Adivasis.

Education and organisational work among the Dalit was almost absent during those days and only a handful of Dalit literates were roped in the organisational process for the sake of form.

They were not given scope to become assertive and to grow as leaders; rather they were bamboozled to be loyal and unquestioning followers of the organisations.

During the freedom struggle, a number of upper caste organisations came up in the state to promote education and development of their own castes but Dalit communities were not even organised on caste lines during those days. Lack of education and mobility was the major constraints in this regard.

Christianity played a major role in the life of Dalit communities through the promotion of education in many parts of the country but in Orissa, during those days, Christianity had not contributed to the promotion of education and organizational process for Dalit participation, though they had contributed to the promotion of education to all sections of people.

## M. K. GANDHI AND HARIJAN MOVEMENT IN ODISHA

The name of the All India Anti-untouchability League was changed by a press statement of Gandhi on 9<sup>th</sup> Dec 1932 to the Servants of the Untouchables Society or *Harijan Sevak Sangh* because a similar association under the name Anti-untouchability League had earlier been formed by V.R Shinde. All India Harijan Sevak Sangh was formed with Ghanshyam Das Birla as President and A.V. Thakkar as Secretary. It was decided to observe 8<sup>th</sup> January, as Temple entry day for the *Harijans*. The objectives of the organisation were to facilitate the socio-economic and educational development of the *Harijans*. The organisation also was publishing one journal in the name of “*The Harijan*.”

The Odisha branch of *Harijan Sevak Sangh* was started in the year 1933 with Balukneswar Acharya as President and Rama Devi, Laxminarayan Mishra and Satyanarayan Sengupta as Secretary.

The other leading members were Acharya Harihar Dash, Harekrushna Mahatab, Bichitrananda Dash, Radhanath Rath and Gunanidhi Mohanty.

The main activities of the organisation were temple entry and use of the public well.

The anti-untouchability campaign was opposed by *Utkal Sanatan Dharma Rakhini Sabha* led by Parikhita Dasasharma and it was supported by the then king of Puri, *Emara Matha Mahanta* and the owner of *Goenka Dharmasala*, Mr. Hariram Goenka.

Nilakantha Dash, Loknath Mishra and Raghunath Mishra along with some Brahmin priests had mobilised support for the Harijan movement in Puri.

The kings of Puri, Sonapur and *matha mahantas* and some conservative people had formed one council to oppose any law for the eradication of untouchability practice and to counter the movement against untouchability.

*Utkal Harijan Sevak Sangh* had opened 26 schools for the untouchable children. Mr. Pranakrushna Parija had taken the initiative in setting up a hostel at Cuttack for the untouchable students. The hostel was named as “*Kaibalya Kutira*”.

Gandhiji came to Odisha as part of his *Harijan padayatra* in 1934 to make the people aware of the issue of untouchability and to mobilise funds for the Harijan development programme.

Gandhiji conducted public meetings at Jharsuguda and Angul with strong opposition from Brahmin communities. The *Harijan* workers and *Gujarati* business community supported his trip. The meetings were attended by a large number of people from Dalit communities of the respective areas.

During his *Padayatra*, Gandhiji was committed for the cause and tried the best methods to motivate the people against untouchability. The then congress leaders from the so-called upper castes and classes had taken the initiative to organise programmes at different places but the meetings were mostly attended by Dalit people without any participation of others in organising the programmes. The leadership of the Dalit people was almost absent with each succeeding year.

The second phase *Padayatra* was accompanied by Mr. Ghanashyam Das Birla and Miss Agatha Harison, a social worker from London and Buto, a German journalist.

Black flags and a parallel protest meeting was organised by some conservative Hindu organisations backed by Brahmins, local princes and *matha mahantas* to defame Gandhiji.

At a meeting in Cuttack, Gandhiji allowed the Swami Lalanath and his followers who came in a rally to protest against Gandhiji to utter their views.

Many people from different parts of the globe with proficiency in their professional fields joined the *Padayatra* and as a result, the issues of Odisha came to public notice.

But Dr. Ambedkar was very critical about *Harijan Sevak Sangh*. He wrote: “The *Harijan Sevak Sangh* is a charitable organization only in name and in fact is a political organization, the aim and objectives of which are to draw the untouchables into the congress fold and scotch any movement by them to free themselves from the social, religious, economic and political domination of the Hindus (Dr. Ambedkar in What Congress And Gandhi Have Done For The Untouchables.)

