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## Should a Moratorium be Imposed on Fresh Mining in Tribal Areas of the Country?

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–*Shantanu Agrawal*

More than 65 years have passed since ‘We the people of India’ took the reins of this country in our own hands. Since then one of the many priorities for us has been economic development of the country. Earth minerals have become a crucial input in realising this development, which has come in conflict with survival and other interests of many other sections of the society, especially the tribal communities. This conflict has to be analysed in a greater detail to understand and discuss some workable solutions. It could be done after understanding why mining of minerals is crucial for the country. Reflection of the dilemma in the mind of government due to this conflict of interests of different sections of the society would append to the analysis.

So what is the importance of mining activity for India? A country like India, which is still plagued by dwindling economic indicators like non-reliable service driven growth and more than 1/5th of population facing extreme poverty (according to World Bank’s estimates), requires certain economic boosts to bring it onto a more stable path of development. One of such boosts is building a strong manufacturing industrial sector, which would induce more employment opportunities, boost trade and eventually improve our Human Development Indicators.

It requires substantial increase in availability of minerals like iron ore and bauxite. The non-renewable source dependent energy generation capability of India makes mining of coal and other hydrocarbons, a backbone of manufacturing growth for India. This is appended by the exponentially growing demand of people for goods like automobiles and services like electricity, which in many cases leads to increase in import of their raw materials due to inadequate domestic mining.

This shows that mining as an economic activity is an important bottleneck for envisaging India’s economic growth indicators reaching to a more stable and dependable figure.

Now where do the tribes come in the picture? According to the estimates, about 80% of India's proven coal reserves lie in forested areas, chiefly inhabited by tribes. This is also true with the distribution of other minerals in the country. Thus, when the country decides to expand its mineral exploration and mining, it eventually leads to massive deforestation and displacement of tribes.

Along with this, mining also leaves behind it a massive trail of chaos. The land relief is completely altered, land becomes barren in many cases, ground water resources and other fresh water resources become polluted with poisonous metals like arsenic, mercury and sulphuric acid. The rehabilitation of displaced tribes leads to a drastic change in their social ecology. In other words, their normal way of life is disrupted, their source of living and food, which are mainly derived from forests, are severely modified.

On one hand, rehabilitation takes a lot of time to complete, making tribal people temporarily homeless, on the other, many tribal people aren't covered under rehabilitation policy for trivial reasons like lack of proper documents or mismatch of spellings of name and address in official documents, to name a few. But even after being eligible for rehabilitation, there is no place like home for any human being, especially for tribal people.

For example, for Dongria Kondh tribes, Niyamgiri hills are more than a source of economic subsistence. It has religion importance. They derive their identity and a sense of belonging-ness from the sacred hills of Niyamgiri. But Vedanta's endeavour for bauxite mining in the area has come up in conflict with these religious sentiments.

What makes this situation worse is that the benefits of mining don't reach the tribal people. In fact, in many cases they emerge as debt-bonded labourers, or start performing menial labour for the mining companies. Emergence of mining mafia in such areas, makes the situation even worse for them.

The above example of Dongria Kondh brings up a crucial question i.e.: What is more important: country's economic development or the religious sentiments of the tribe? The simple answer would be a compromise between the both i.e. controlled mining while respecting the religious sentiments of people. But this approach is more theoretical than practical in terms of viability.

Another question that haunts the tribal people is that they are the prime targets of development induced displacement. Government can't dare to touch the developed areas for example; cities like Ranchi or Delhi, because such a step could create havoc and even topple the government. However, the geographical and social discontinuity of tribals, makes it easier for the government to displace them and suppress any protest emerging out of them.

Similar situations in other parts of the country like Jharkhand and Chhattisgarh, have led to increased frustrations of people against the government. Even in protected areas like Schedule V areas, the views of Gram Sabha are ignored in the name of restricting the development of the country. These frustrations are converted into action by leftist ideological groups and parties, leading to the emergence of movements like Naxalism and Maoism.

Also in many cases mining brings with itself a sudden influx of alienated culture in the tribal areas. Their way of life changes drastically due to these interactions with the alien culture. Many a times, this also leads to an increase in threats to the tribes themselves, for example increase in crimes in the area, especially against tribal women.

Now questions arises that is Moratorium an answer to any of the problems? A moratorium doesn't mean a complete ban on mining activity, because as stated above, India can't afford such a step. A moratorium means, 'a legally authorised post-ponement before some obligations are discharged'. Such obligations can be facilitation of Gram Sabha's decision-making power, complete rehabilitation of the affected people etc.

Arguments against moratorium insist that, on one hand, where these obligations are huge and time consuming, on the other a mine takes many years before it could start producing fruitfully. Thus, moratorium would delay the entire process. This would also hamper the mine-block auctions and allocations, thus increasing the number of stalled projects in the mining sector.

But arguments for the moratorium emphasise upon the importance of the regions for the tribes, as mentioned above, which can't be done away with until alternate means of survival for them are ensured. They even focus on social and environmental rehabilitation of the people, before starting the mining in an area.

Arguments of both the sides are equally valid. But this doesn't help the country in reaching a particular solution. Especially when there are case studies like rehabilitation of people displaced due to the Bhakra Nangal project not yet complete, even after decades of its construction and working.

So what is the answer? Actually, the answer lies, first of all, in learning from the mistakes of the past and addressing them on a priority basis. For example, there is an immediate need for implementation of already existing laws and regulations in letter and spirit, for example, consideration of Gram Sabha's views before awarding any contract in the Schedule V areas. Where government has failed to fulfil its promises, it should apologise and provide alternate means of survival for the victims. Where it has succeeded, it should learn from the experience and build further policies upon them.

Also the conflicting claims over the ownership of the land should be addressed. While tribes think that since the time of independence their forest areas have been their own property, government believes, lawfully it is the owner of these forests and land areas. A sense of co-ownership can be developed in this case, where government and tribes have equal stake in the area of conflict.

This should be seriously accomplished by bringing fruits of mining and development to the tribes. For example, when a company is allowed to mine on the tribal land, tribes would own 25-50% stake in the ownership of that mine. Piece-meal approach of providing incentives like educational institutions and health care centres etc, haven't proved themselves the viable solution to the problem.

Increasing the current mine working efficiency, proper reclamation of the mined land, reducing the dependency on minerals by developing alternatives like, renewable energy against coal, could reduce our need to expand mining operations to new areas. This could be intensified by increasing exports and using the increased foreign exchange for importing mined minerals like bauxite from countries like Australia.

As discussed earlier, government has taken various steps to address tribal concerns. For example, Schedule 5 gives ownership of minor forest and minerals to the tribes, while empowers them to take decisions on other development projects. Similar other policies need implementation, in practice and not just on papers, as was seen in the case of Vedanata-Niyamgiri hills.

Government has also passed Mines and Minerals Development Act recently that seeks to form a District Mineral Foundation for development of the mined area. Other initiatives like Skill development, more health and education facilities in tribal areas, schemes for Van-Bandhu and others are believed to induce decentralised developments.

## **Conclusion**

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As discussed earlier, these have been just piece-meal approaches and could only delay, not solve the problem. Similarly, moratorium also could only be a temporary answer, while the government should start taking long-term approaches and addressing the growing alienation of the tribal society, not just socio-economic but also ideological. Only then would we be able to really fulfil the idea of "Sabka Saath, Sabka Vikas".