

MINING & COMMUNITIES

No. 2

A quarterly newsletter published by MICI – a project funded by European Union's EIDHR programme for "INDIA"

Editorial

In this issue, we bring together the experience sharing and learning that emerged from the orientation sessions and these summarizations themselves set the context that must be used by the team when they depart to their respective regions with a hope to bring the purpose of MICI to reality. Welcome all.

ORIENTATION AND PLANNING

We all met on 17th May at the Balamitra school. Attended by the staff of Samata, Cry Net and MICI, the first day's programmes focused on taking stock of the issues concerning mining. A sense of common purpose was emphasized from this very first interaction.

Ravi narrated Samata's history and its struggles with the government, judiciary, and insurgent groups for the rights of tribal people, along with the creation of CRYnet, mm&P alliance and eRc. A veteran activist of Samata, Makki Reddy Ramanna also had much to say to the MICI team on the importance of and strategies to work with the local populace. A movie session on tribal rights and environment protection served as a thought provoking breather session.

Mining, to be understood and intervene in, requires a multi-disciplinary, multi-stakeholder approach. The CIO of MICI, Nishant, drove this point effectively across with a comprehensive presentation on the various departments and issues that overlap as well as all the various laws and departments that come into play in these areas. Following this, a plan conceptualizing MICI's operational and communication models was presented.

Ravi Rebbapragada led the discussion session, sharing many experiential

examples from the field and linking up all concepts introduced during the course of the day, ending with a note on how to use state apparatuses wherever and whenever possible to work for the people.

On the second day, FO and veteran activist Ashok Shrimali made a presentation on land grab in Gujarat. In Veraval, Bhavnagar and other places, resistance against large scale projects that wreak havoc on local people's lives are surging strong. A documentary on the various anti-mining movements spread across was screened by him, followed by a short speech on the present status of these movements.

The power of information is a core pillar around which MICI is built. Mr Srinivas the Media Co-ordinator of Samata gave a very lucid description of the various cycles and networks that exist in the information sharing process, and emphasized on "context savvy" presentation of news. According to him, the community is the point of origin as well as the final destination of information....*Continued on Page 9*

Related Activities

Orientation: MICI Team, Vizag (Samata) – 17 to 20 May, 2011

Public Hearing: Children & Mining (Jaduguda) - 26 to 28, May 2011

Release: Tearing through the Water Landscape, Bangaluru – 27.05.2011

Event: Meeting Green Crusade & Green Knights (Times of India), Bhubaneshwar – 04.06.2011

Environment Day, Kullu – 05.06.2011

Campaign: Illegal Mining, Kannedhara Hills, A.P. 09.06.2011

Public Hearing: Children & Mining, Panna, M.P. 19.06.2011

Fact Finding – Proposed Mining, Gadag – 25 to 28 June, 2011

Event: Fact Finding by Greenpeace, Singrauli – 9 to 12 July, 2011

Dialogue: Mining Bill & Social Audit, Rajasthan – 18.07.2011

Fact Finding – Scheduled Area, Birmatrapur (Orissa) – 20 – 23 July 2011

Training: Advocacy Training by MICI, Rourkela, Orissa – 29.07.2011

Heading the News:

Environment Ministry may undertake EIAs for projects in eco-sensitive zones

Tribals launch padayatra, demand cancellation of mining lease

PM steps in, go area for coalfields raised to 71%

Villagers protesting illegal mining face police ire

Amendments to Mining Safety Act to be Passed Soon: Kharge

Mining the farmer for all his land

Anti-mining agitation enters sixth year today

SC sets up panel to check K'taka mines

Tribals oppose clay mining, face charges

Mining Bill To Link Profit Sharing With Mineral Value

Tribals fear losing land to Khandadhar mining

Coal firms asked to review R&R for mining projects

'Mine is yours for 30 years'

Suspend mining licences of six firms: SC panel

Share 26% royalty, not profit: Govt's U-turn on mining

CEC for suspension of mining ops in Bellary

Montek opposes GoM's mining profit share plan

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THE NEWS DIMENSION

Asking business houses to share a part of their profits is not a good idea, says Planning Commission Deputy Chairman, Mr. Singh. Three months ago, the highest planning authority had said “Don’t block the mines, ensure mitigation”. So where does this lead us? What we are planning for – GDP growth alone or giving opportunities to people to gain along with GDP growth? Is growth equivalent to industrial development or disbursing growth for all? On the other hand, the MoEF says it will take a decision by the year end on conducting EIA studies on its own in eco-sensitive areas. We sincerely hope this comes through.

Nigmanand, the seer who sat on a fast-unto death in Haridwar against illegal mining of the Ganga, died after 114 days of fasting. A group of adivasis in Andhra Pradesh undertook a gruelling *padyatra* to remind the government that the lease on their land, applied for by a politician’s son, is illegal and should

be cancelled. Instead, they were arrested *en masse*. In Rajasthan, when vigilant people organised a *dharna* to save the Aravallis and to make the government comply with SC’s order, they received nothing but sticks from the police. Mr. Meena (PUCI executive member) told state authorities that there is

Anti-mining agitation enters sixth year today, reports The Hindu from Thiruvananthapuram

blatant collusion of police, environmental and mining officials with mining mafia. But how long can mining lease for china clay was granted to a non-tribal and locals protested, beating up government representatives for encroaching on their rights.

What does it take to get Coal India Ltd. to review its R&R policy while acquiring land for coal mining? Perhaps the nation-wide protests against the draconian Land Acquisition Act that agencies have used in their favour, offering low compensation and defying the

purpose. The revision of policy comes just as agency reports from Angul in Orissa say that mining operation under the Mahanadi Coal Fields remains suspended due to protest by project affected people demanding immediate steps for compensation and rehabilitation. The rules are also bent for political people, like in Karnataka, where a lease is granted for 30 years, instead of 20 years as provided in the current prevailing law.

This quarter is still indecisive about sharing profits and how mechanisms can evolve to take speedy actions on issues brought forward by people on illegal mining, impact on health and environment, and protection of people’s rights, to give them some faith in the laws of the land. The National Green Tribunal, an environmental court for matter pertaining to a variety of issues gets operational in July where one can challenge clearances given to projects on various grounds and seek compensation for damages caused by activities.

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Sreenivas described Samata’s media strategy, distinguishing its high and medium Priority Areas and the information dissemination model. He drew out the principles MICI should keep in mind when trying to get Media focus on certain issues, especially identifying the right vehicle at the right time to send out the right information.

Dr. Sreedhar, who heads the Environics Trust, is also the Chairperson of the mm&P Alliance. Having started his career as a Geologist with ONGC and Atomic Minerals Division of GOI, he underwent a determined path-change when he shifted over to being a geologist and an activist on the side of communities. He stressed on the need to creating and maintaining networks to collaborate in effective interventions, and described Environics Trust’s collaboration with entities like LIFE, eRC and CBOs. He also shared his own personal experiences on dealing with mining and addressing them at appropriate forums to ensure accountability of the government to implement laws and processes.

Vinayak Pawar is a researcher associated with Samata for 2 years. Having completed a study on ‘Mining and Its Impact of Children’ spread across 7 Indian states, he had many disturbing findings to share. Analysing indices ranging from Security and Health, to Education, Migration and Support from government programmes, Mr Vinayak had come up with a comprehensive status analysis of

children employed as labourers in mines and showed us the photographs he had taken during the data collection.

Creation of a Community Resource Guide (CRG) for understanding laws and processes related to mining is the major objective of MICI in 2011. Febna, the Media Coordinator of MICI, gave a brief summary of the draft CRG created and invited the MICI team to come up with ‘people friendly’ formats for delivering the information simplistically but effectively.



Day 3 started with an orientation session with the GPS devices. Various ways to use the GPS devices were also discussed with Mr Ravi drawing everyone’s attention to the possibility of using webcams and GPS together to create

live streaming videos that can be accessed online and located to a point on Google Maps by interested persons. The excitement during the session was tangible and there was much pride among the team realizing MICI is meant to be and is at cutting edge when it comes to information collection and dissemination.



The new team was asked to come up with ideas on how to 'operationalise MICI in the field'. Aruna Sekhar did a commendable presentation identifying the key areas that a Field Organiser should focus on, using 3 potent verbs – EDUCATE, NETWORK, ORGANISE and elaborated on how these should apply to various stakeholders and various different resources. For instance, under Educate, she conceptualized the task of educating oneself (on past movements, local histories, larger political scenarios etc) along with educating the community, media and the state entities. There was unanimous consensus on the model of working she proposed and the session helped much to get the team finalise their modus operandi.

Once the 'tools' and 'roles' were in place, it was time to chalk out MICI's activity plan for the next 4 months. The major objectives to be carried out are to complete a draft community resource guide, and conduct 5 zonal and 10 community workshops to get feedback to develop a useful guide. Once the broad framework was decided, we collaborated on making a time-table for MICI's workshops.

In what was one of the most "praxis"al sessions, Sreedhar combined the theoretical with vivid experiential examples, summarizing and linking all topics dealt with in the past 3 days. He clarified the differences between Fact finding, Evaluation and Impact Assessment, describing the skills and resources needed at each stage. He used a metaphor of a 'Jacob's Ladder' of intervention in social issues, which has four rungs: data, information, planning and insight and then pointed out how they are relevant to developing an operational policy.

The last activity on the 3rd day was a practical on how to use maps. Using the GSI's topographic maps of the state of Andhra Pradesh, Sreedhar guided the team in understanding Map Scales, Legends, Contour Curves, etc. He also explained how along with GPS, these topographic maps were vital tools in working on environmental concerns. To drive the point home, Mr Ravi shared his experiences in using topographic maps in fighting cases on

forests rights of tribal people, With this session and the field visit, MICI team completed a full circle of training with a holistic understanding of the work to come.



MICI DIARY

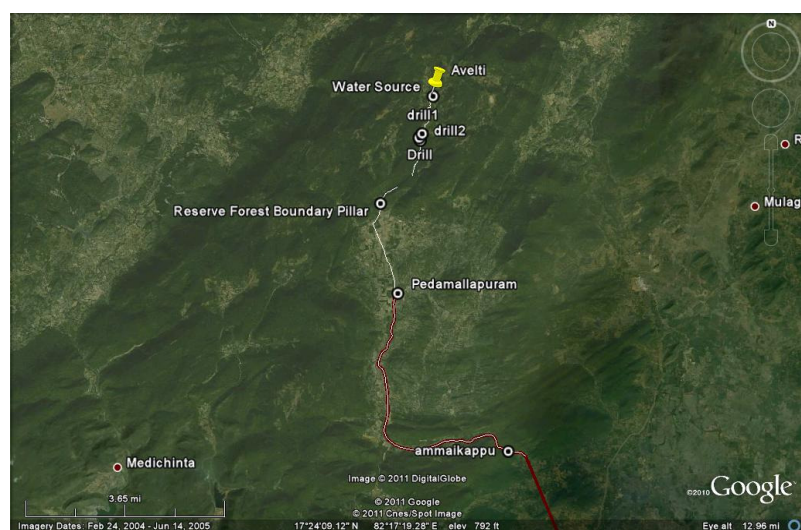
FROM THIS ISSUE WE INTEND TO BRING EXPERIENCES FROM THE FIELD AND WE HAVE TERMED IT AS MICI DIARY!



SOUTH - May 20th, 2011 Avelthi, In the light of news that private groups had begun prospecting for laterite in tribal areas, we'd set off for the village of Avelthi in the Sankhavaram Mandal, East Godavari district.

For the past few days at the introductory session, our heads were spinning with terms like forest clearances and net present value, as we tried to grasp what we would use in our field work. The trip was a training exercise for us to observe and assess as much as possible in the field, putting our new-found knowledge to the test. On the way, we got our first chance to use our GPS systems, learning how to mark waypoints and track routes, as the landscape gave way from Vizag's industrial expanses to fields and hills waiting for rain in the distance.

Sankhavaram was the birthplace of Samata, and it is easy to see why Ravi had stayed here for over 10 years. As we skirted the river, a wall of dark cloud and moist, green forest broke the harshness of summer, just as the EIA describes this place as a "barren and waste land". We arrived in Peddamallapuram just as rain broke, and scurried into rickshaws that would take us over the rocky road to Avelthi. A gushing stream greeted us (name of river) and after introductions with local leaders, we split up into groups to gather as much information that we could. Some of us spoke to the leaders, others to women and children just as a meeting took place in the heart of the village.



From the answers we got, we could piece together why this place had evolved into a stronghold for the People's War Group. Avelthi is a village that has largely been left alone to cope with its own problems by the government. The

inaccessibility of the village is something that a lot of people are displeased with. "At least now there's something of a road that autos can ply on", said Gomiseethamma. "Before, we had to make stretchers out of saris and walk 10 km to Pedamallapuram to get help."

54 villages stand to be affected, stretching across the hill range in the Sarlanka reserve forest, abounding the villages of **Avelthi, Pedamallapuram, Velangi** and 26 that are located on the hilltop. The tribals here belong to the Konda Reddy tribe, consisting of Konda Kapus and Konda Kammaras, who had settled here 4 generations ago. With the march of time and commerce, other communities have also been assimilated. The area was not granted the status of a Scheduled Area and, instead, lies in the tribal sub-Plan area. Further, this status is still being debated under the 1967 Forest Act of Andhra Pradesh.

As we spoke to the villagers, we discovered that there is no public health centre in the village, and no doctors that come here in recent years. Deliveries are often done at home, and infant mortality is extremely high. While there are only primary schools up to the third standard in the foothills, the villages in the hills have no educational facilities. Neither has NREGA been implemented, nor has FRA fulfilled its utility- many people we met and spoke to had either faced rejection or were waiting in line for pattas to their land. There has also been a major fall in agricultural productivity after the use of fertilizers in the region, and people here are unable to even afford to buy rice.

When we walked through the forest, just as we chanced on rare orchids growing on the bark of the tree, we were shown large pits where sampling had been carried out that had still not been filled.

The adivasis are incredibly dependent on the collection of forest produce, even as there has been a transition from food crop to a cash crop economy. If mining does surface in the region, the entire ecology, community and local livelihoods stand to suffer. Water resources would be depleted and heavily silted and land would become more prone to erosion and flooding. Forests would be degraded, and there would be a definite loss of bio-diversity.

The people are ready to fight mining and protect their land at all costs, and were extremely vocal about their displeasure at the meeting that we were witness and party to. Issues over access to the forest and its resources have been a strongly contested subject since the early 60s. Avelthi was even visited by the revolutionary Alluri Seetha Rana Raju who fought the British for tribal rights over their forests. And now, after all the years of struggle, mining poses a threat to all that has been worked for.

EAST - Jadugoda, 26 May, 2011 The Uranium Corporation of India Ltd. (UCIL) and the Jharkand Pollution Control Board (JPCB) organised a public hearing for the lease renewal of Bhatin uranium mines. The suffocation was tangible, with no space for people's voices to breathe in a word of concern. I could see pro-company locals standing as barricades at the entrance to Jadugoda, with big sticks in their hands, keeping a check on the people's movements in the area. While the company invited everyone to the hearing, they finally shifted the whole event into their own bastion inside the UCIL compound. Not even media

persons were allowed to enter. As they submitted the memorandum to the JPCB, public officials boasted about the successful completion of the public hearing. When asked about the undemocratic means in which it was conducted, they replied that there was an order given to security to keep certain people out, in fear of disturbances. When local people asked why even they were not allowed inside the venue as they are the major stake holders in the whole process, the officials did admit their but gave no assurances for any further action.

The people of Bhatin, its surrounding villages and activists from JOAR accuse UCIL of inciting people against anyone who brought up rights of the people and of hazards related to the mines, and say that people were paid to tear off posters and banners put up by the resistance movement.

On my visit to the village, I could figure out the difference created in the village by the company, as only the prior employees of UCIL were taken into consent, given material gifts and also oral promises, while those who demanded work or facilities were kept out of the scheme of things. People allege that the company is not following even the minimum standards, like safe transportation of ores, dumping of the waste, seepage of tanks, etc.

I also had to deal with the inquisitiveness of the people, doubting my intentions, as well as a sentiment echoed by the people of Bhatin that they would "prefer dying with radiation than die of hunger." This fear psychosis of dying of hunger and the people's dependency on the mines as the only source of livelihood is something that needs to be answered, not only by the people but all of us.

Where is Bhatin?

Bhatin is located 3 kms from the first uranium mines in the country i.e. Jaduguda and the deposits are located in the Singhbhum shear zone.

Background

The public hearing was scheduled on 26 May 2011 for renewal of mine lease for production of 1000 tonnes/day of uranium ore and enhancement of ore processing plant.

Impacts

Apart from radiation impacts on health, the other outgo of resources is envisaged. The present working depth of mine is 555m bgl and the ultimate working depth of mine will be 905m bgl (below ground level). Thus, the mine will intersect water table. Out of 12,230m³/day of water requirement, 73% will be sourced from barrage on Gara River! 20,693 persons from three villages are in the core zone but R&R is not envisaged. *The density of people to the mine lease area itself is 54 persons/hectare; density may increase, if core mine zone is considered (not available).*

CENTRAL - Singrauli: I was invited by Sreedhar (Chairperson, mm&P) to accompany him on a visit to Singrauli in the Sidhi district of Madhya Pradesh, where Northern Coal Fields Limited (NCL) is mining coal since the early 80's. Sreedhar, along with H. Suresh -a retired judge from Mumbai



H.C.), Paranjay Guha Thakurta- an eminent journalist and Kalpana Kannibaran - a lawyer and social activist- were members of a fact-finding team sent by Greenpeace to assess mining conditions in area.

NCL is running operations in 10 opencast mines in Singrauli, with the combined production of 67 MT per year. It primarily feeds three thermal power plants in Singrauli, Sidhi and Sonbhadra (in Uttar Pradesh) that, at present, have a combined capacity of 10947 MW.

According to NCL officials, of a total of 1392 families affected by mining, 657 have been resettled. In early 80's when mining started in Singrauli, displaced persons were being offered same bright future which is again promised now for yet another set of 'to be displaced' people, recalls Ravi. They claimed to have built schools and provided health-care facilities in the resettlement site of Nandgaon.

We were taken around Nigahi a mine, which caters to the Vindhyachal Super thermal power station 3260 MW. Eucalyptus and bamboo were planted on closed dumps, which may give us a green image on Google Earth, but are in no way a replacement for forests. No bio-diversity studies have been done by NCL, and active dumps are much more than closed ones. NCL officials also told us of plans to double the production in next 3-5 years.

In the near future, private players like Reliance and Essar are also coming to this area to mine and run Ultra Super Thermal Power Stations.

We visited the village of Muher, where villagers have taken compensation from Reliance at Rs. 1.80 lac per acre but are oblivious to impending upheaval in their life.

EAST - Odisha - Schedule V of the Constitution provides safeguards under Article 244(1) i.e. through Provisions as to the Administration and Control of Scheduled Areas and Scheduled Tribes. As one participant voiced his concern about the wiping out of tribal villages in Keonjhar's Joda District, another participant from Birmitrapur vociferously described the plight of Scheduled Areas where urban management bodies like municipalities or *nagar panchayats* are proposed to take over decision-making, which is against the spirit of Scheduled areas. The question at the end hangs between the Union and the State. PESA, for example, should have been instrumental in improving governance, but the fact remains that there are numerous pockets where *gram sabhas* have not even been formed. The MMDR bill should look into the implementation of such important legislation, if the sustainable development framework has to attain some sanctity.

We will be covering briefs about Human Rights Defenders and People who know the science and social aspects of mining.



Maki Reddy - A PROFILE

Maki Reddy, Field Coordinator Samata speaks to the new MICI team about his wide ranging experiences and the way ahead.

How do you help people? You first listen, understand, and then help. But it wasn't always so.

As a child, my elders used to settle villagers' disputes. I was disgusted with their heavy-handedness and how they used to pass judgment on lower castes. When I was old enough, I joined the CPI (M), and wanted to redistribute land to dalits and adivasis, then strayed in to the People's War Group.

Before I joined Samata, I'd done lot of work and been involved in a lot of political agitations where there would be lot of demands made and slogans chanted backed up by guns, but very little achieved.

In those days, info on Forest Rights Act, PESA was not easily available. We never thought about the environment or pollution when were working with the Community Party of India; then it seemed like a good idea to collaborate with Russia towards industrialization.

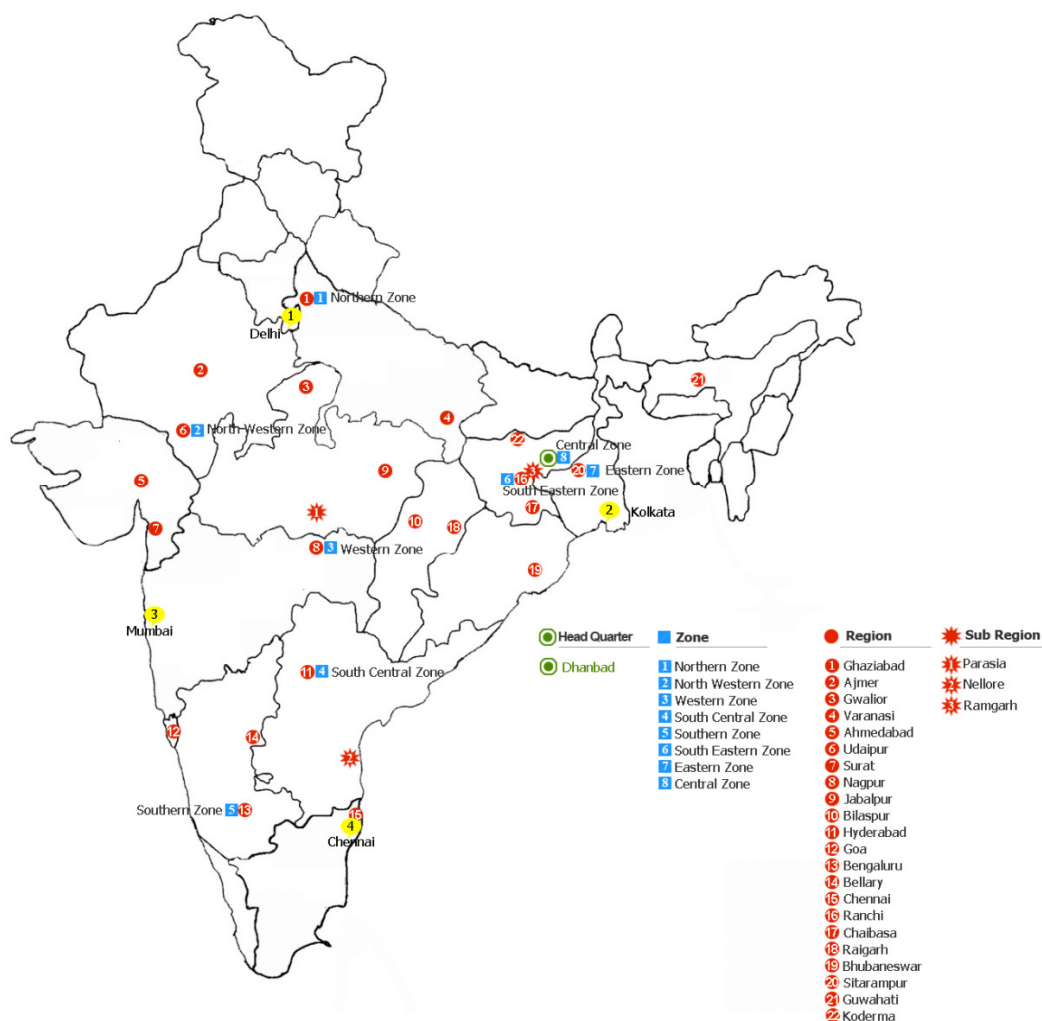
Displacement was a new issue in 1951, when our land was taken away for the Tandava dam- all we knew was to ask for compensation. And how much did we receive? Rs. 3100 for one acre of wetland! The moment the package was sanctioned, it would go back to the repayment of loans.

Now, once the lease for mining bauxite in Nimmalapadu was given, how would it be repealed? "These are the Birlas- they'll buy the government, they'll buy you," we thought.

But only after the case was won did we understand the value and power of information. It was only once the Samata judgment was passed that we realised we could use the law to get our issues hear. The case took 2 years in the High Court, 3 years in the Supreme Court- and all this while, we had to learn how to involve the community, political parties and local media.

Oh yes, while we were fighting, we had problems with the Naxalites as well as the government; There were times, like when the police threw me in jail for 8 days, that I'd wonder why I'd got involved in the first place. But now, everybody cites the judgment based on the work we did and approaches us for advice.

If there is only one piece of advice I can give it is this: identify and work with the communities first, only then will you succeed, whether you choose the way of the pen or the gun.



Map: Director General of Mines Safety (DGMS) under the Ministry of Labour is the regulatory agency to ensure safety in mines with a mission to reduce the risk of occupational diseases and injury to persons employed in mines.

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IMPORTANT EVENTS OF QUARTER

Upcoming Parliament Session VIII (01.08.2011 – 08.11.2011) - The MMDR bill may be central to discussions.

31.05.2011 – Ashok Chawla committee submit its report on Allocation of Natural Resources

07.07.2011 – GoM approves draft MMDR bill & proposes benefit sharing formula. The GoM was constituted on 14.06.2010

27.07.2011 – Lokayukta (Karnataka) submits report to Government on illegal mining