

**NATIONAL LAW SCHOOL OF INDIA
UNIVERSITY, BENGALURU**



**TOURISM AND ITS EFFECTS ON BORRA AND KATI KI VILLAGE: a comparative study of
Borra caves and Katiki waterfall tourism model**

**FIELD WORK IN KATI KI VILLAGE, VIZAG, ANDHRAPRADESH REPORT SUBMITTED AS PER COURSE
REQUIREMENTS**

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Introduction

The preamble of our Constitution holds 2 set of policy goals and trajectories. Policy goals being Justice, Liberty, Equality and Fraternity, the Constitution of India promises and strives hard to achieve the said objectives in its own terms. One of the crucial achievement by the constitution is the identification of forest land and inhabitants in an unique manner in order to sustain their life, culture and resources as result is what we have today 5th Schedule of Constitution of India.

The transformative nature of our Constitution of India has been adapting itself to new approach to development of the nation in various trajectories and also accommodates new policy tools in the name of amendments to the constitution of India.

Provisions of Panchayats (Extensions to Scheduled Area) act 1996 also known as PESA 1996 and Forest Rights Act 2006, both have been a corrective step initiated towards inclusive growth and development of the nation. Right from the holy book, the Constitution of India and many such laws and policies have promised to better the tribes lives who were left forgotten in the forest for a very long time, but have these promises helped them in any manner, I have made an effort to introspect this during my visit to Katiki village.

Samata my host organisation is one such organisation which is into mobilising tribes in the scheduled area in the eastern ghats, creating awareness about their rights and advocating policies to the state by stressing on inclusive development and sustenance of eastern ghats and tribal lives. Samata's milestone achievement is the Samata Judgement 1997 which I believe has saved eastern ghats and tribal people situated here since ages.

This report summarises 3 major components, first, my understanding of the policy implementation in scheduled areas, exclusion and inclusion. Second is studying the 2 different tourism models and the last is about understanding the NGOs role in policy formulation and implementation.

Background

Eastern ghats a rich mountain valley of mineral resources also houses tribal people who are living since ages in tough conditions one such village is Katiki. It is situated on top of a valley, comes under Borra Panchayat, Anantgri Mandal, Vizag District. A population of around 180 people without any basic amenities such as roads, toilets, drinking water, Katiki in itself is a case study. Not just Katiki, the villages around that are a reflection of Katiki.

Katiki is 7 kilometres far from Borra caves, only transport is jeep, bike or by walk.

Whereas Borra on the other hand is fairly developed in terms of infrastructure and by virtue of APTDC (Andhra Pradesh Tourism Development Corporation) connectivity and basic amenities are provided but the beneficiaries of this are not the tribes, well that's a different story altogether we shall discuss further.

Overview of the villages

- ▶ Each village(hamlet) has a population ranging from 80 to 200 people.
- ▶ Language: Oriya, and Telugu.
- ▶ Occupation: Farming, kooli, drivers. Tribes have mastered step cultivation.
- ▶ Crops: Rice, Ragi and vegetables.
- ▶ Coffee plantation is also carried out (only few)
- ▶ Food: Rice and Pappu.

SAMATA: assertion for People

A community based social action group which went on to become an organisation advocating for tribal and environment in eastern ghats, working since 1987 at grass root level mobilising tribes and asserting against any violations of their rights and also the misuse of environmental resources through mining. Samata does advocacy in the following lines:

1. Advocacy in tribal issues
2. Strengthening tribal Self Rule and Decentralisation
3. Support to community based organisations (CBos)
4. Monitor mining and other industries

Summary of 21 days trip to Vizag and katiki

The journey began with a lot of expectations about learning new things which came out to be true. Since I went with zero presumption about the issues and the place I could possibly work well and understand the sensitive issues related to tribal people. The first 3 days the trip were spent in Samata head office in Dabbanda village, Vizag. Mr. Ravi Rebbapragada and the admin team gave us crucial insights about the villages and the kind of work they have been doing. Mr. Satis Kumar, co-ordinator helped me with providing documents and other reading materials relating to the Katiki and katiki Waterfalls. This gave me a better understanding about the situation in Katiki and I could prepare myself better for the work, when I reached the village these reading proved of great help. After the session with Mr. Ravi Rebbapragada I understood

what it takes to build an NGO so strong and deeply rooted in an area for 3 decades. He took me for a meeting with Sub-collector of Vizag to talk about pending title deeds for the tribes in Chintapalli village, this meeting was an evidence how daily work is done by an NGO lobbying with the state so patiently for justice to be served to the concerned stakeholders.

Next 15 days my experience in Katiki was awakening for a policy student/practitioner and a life time experience to an individual. The villagers were so kind generous while hosting me, treated me like family. The tribes are so much rooted in the community unlike the new urban culture they work for self but live for the community. it is a different world in terms of culture and human relations.

I had 3 general meeting with the villagers during my stay. First meeting was a general introduction and ice breaking session. Second meeting was regarding the village and its maintenance (cleanliness, plastic disposal, stressing on education for kids, overcoming drop outs). The third meeting was on the last night I stayed in the village, I spoke to them about my observations and immediately implementable suggestions. A training session for the members who work in KWDC (Katiki Waterfall Development Committee) was also conducted.

I visited around 8 villages, katiki waterfall, Borra caves, 2 weekly markets (Santhe), Ration centre, Borra Panchayat, dilapidated building called as schools and anganwadis. On 20th October 2017, I along with 8 villagers met Mr. D Balaji, IAS, Sub-collector Paderu on grievance cell at Integrated Tribal Development agency (ITDA), and submitted a written complaint about the plight of the Katiki village and also requested for taking up road construction as soon as possible. Sub-collector was quite responsive and gave assurance of giving personal attention to the issue.

In these 15days I was introduced to tribal culture, food, dance (Dhimsa), lifestyle and I made friends and brother for life. After 15days of stay in Katiki, I came back to Samata head office, again I sat with the team discussed the findings and observations, took their opinions and potential developmental activities that can be carried out in Katiki waterfalls.

After 21days of trip I came back to Bengaluru with huge amount of learning to be unloaded and organised for a relearning process to make it a presentable knowledge to motivate the policy practitioners to take more of such trips.

Law of the Land: Tribal Interpretation.

“We are living in these mountains since ages, yes it is a tough life but we were happy, but one day few foreign dressed people, who call themselves the government, came and told us that these land and we belong to the nation and asked us to ally with them to live better, and we did. Soon few others namely, Forest department, Revenue Department, Railway Department and now the Tourism Department came to us and said they all have share of these mountains. We understood all of them want to eat in our plate but for some strange reasons they don't like us and not allowing us to eat, what to do!!??” said an old man in his 80s when I met him at his home. At first he was agitated seeing me, he mistook me for a government official, when I said I'm interning at Samata, he was happy and spoke with enthusiasm.

5th Schedule of Constitution of India

The Fifth Schedule covers Tribal areas in 9 states of India namely Andhra Pradesh, Jharkhand, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Chattisgarh, Orissa and Rajasthan. Essentially The Fifth Schedule is a Historic Guarantee to Indigenous people on the right over the land they live in.

- ▶ Deals with administration and control of scheduled areas and scheduled tribes in these areas.
- ▶ The key objective is to provide protection to the tribal people living in the Scheduled Areas from alienation of their lands and natural resources to non-tribal people.
- ▶ Tribal Advisory Council (TAC), state level and district level. And Integrated Tribal Development Agency.
- ▶ Article 244 confers plenary power on the Governor to bring independent legislations in respect of tribal affairs in consultation with the TAC.
- ▶ The negligence to constitute the TAC is equal to negating the rights of tribal and stalling the process of governance.
- ▶ Forest Rights Act, 2006.
- ▶ PESA act 1996. Exclusive powers to Grama sabha under section 4 to protect tribal land and culture from alienation and to overcome any sort of violation of their rights.

But over these 70 years, is the spirit of Indian Constitution forgotten or ignored!? Who is responsible for the prevailing ignorant constitutionalism? These are the questions one would ask after experiencing the ground realities in Katiki and the surrounding villages. Provided all the Constitutional provisions, laws, policies and programs these tribes are till date struggling for basic amenities shocks one about the governance and implementation we have adopted in these areas.

When the Constitution of India provides special provisions to these areas on a clear objective that tribal culture and natural resources, the state cannot approach with the methods that are applicable for the rest of India. Homogeneous policy implementation and governance methods are a failure today, which is why today there is a huge disparity in the country's growth. Failing to acknowledge the uniqueness of the scheduled area by the government since Independence is cause of their backwardness. Here the very idea of homogeneous, similar, growth model seems a threat to the nation's integrated development.

NGOs role in policy implementation

During my stay in Samata Head office, Mr. Ravi Rebbapragada had told me one thing, anywhere you want to go, be it public offices, tourist spots, villages the password for a free entry is "SAMATA" it was true, wherever I went once the people came to know that I'm interning with Samata I could see the difference in their approach and treatment. Samata in these 30 years has done remarkable works, bringing tribes to the mainstream, creating awareness about their rights, asserting for tribal rights and the list goes.

He also mentioned that NGOs, are the agents who work in the absence of the government and act as medium between people and the government, this was true in case of Katiki village, people associated themselves with Samata more than the government.

Looking from a broader point of view, in a country with this big geography and democracy it is better to encourage NGOs and Civil Societies who commit themselves to an area and land which is *inaccessible* to the elected government. Also at times these organisations who have better understanding about a particular area can give alternative solutions when a policy fails.

When we look at governance as subject it is good to have NGOs and such organisation in the loop to overcome, corruption, ignorance, policy failures and also to overcome hindrances in policy implementations.

The best example to the above statement is Samata Judgement, 1997. By winning this landmark case Samata saved unimaginable resources and lives of Eastern ghats.

Summary of Samata Judgement

- ▶ All lands leased to private mining companies in the scheduled areas are null and void.
- ▶ 94. By the Constitution [73rd Amendment] Act, 1992 every Gram Sabha shall be competent to safeguard and preserve community resources clause (m) (iii) the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawful alienation of land of a Scheduled Tribe ...
- ▶ 110. Minerals to be exploited by tribal people themselves either individually or through cooperative societies with financial assistance of the State.
- ▶ 114. At least 20% of the profits as permanent fund for development needs apart for m reforestation and maintenance of ecology.
- ▶ 115. Transfer of land in Scheduled Area by way of lease to non-tribes, corporation aggregate, etc stands prohibited.
- ▶ 117. Transfer of mining lease to non-tribes, company, corporation aggregate or partnership firm etc is unconstitutional, void and inoperative. State instrumentality's like APMDC stands excluded from prohibition.
- ▶ 131. Conference of all Chief Ministers, Ministers holding the Ministry concerned and Prime minister, and central Ministers concerned should take a policy decision for a consistent scheme throughout the country in respect of tribal lands.

The alternative solutions which Samata came up with are potential growth models that the government can adopt in their policies.

Community Tourism v/s State Tourism

Katiki Waterfall

Managed by Katiki Waterfall development Committee, one of its kind model developed with the collaboration of 3 players namely, Katiki and surrounding villagers, Mr. Lothati Shiva Shankar, sub-collector, Paderu and again SAMATA.

Katiki waterfall in late 2000s attracted a lot of tourists but one of the basic amenity to a tourist spot that is connectivity was absent. There was no road or train transport connecting the waterfall. Realising the potential tourism, Samata and the villagers came up with an innovative idea of “Community Tourism” where the entire tourism activity is undertaken by the tribal habitants of the place, right from administration to carrying out business is done by the villagers only, no state or outsiders intervention. A pure form of Community work.

Mr. Lothati Shiva Shankar laid down the guidelines to form a society consisting 10 members of the villagers, established a toll gate on the way to the waterfall. 4 wheelers are charged Rs.40/- and 2 wheelers are charged Rs.10/-

- Collected amount shall be deposited in the bank, account in the name of the society, KWDC
- This amount should be used for the purpose of developmental activities near waterfall and the road and all such works taken up.
- Every member would of the village(recognised as employable) will get 10 days employment near the toll gate and near the water fall on a routine basis.
- Per day Rs.100/- shall be the wages for person working for the KWDC.
- The committee shall run under the direct supervision and assistance of Sub-collector Paderu and Samata

The committee is well organised, the members have been trained at the respective jobs they do. All activities happen transparently and the entire members are in the loop whenever there is any expense made from the amount collected. So far no internal difficulties have risen in running the committee. It is officially completing 1 and half a year but the model is 2010, which means the society was formed in 2016 when the local MLA tried to remove the tollgate and the system existing.

Challenges Faced by KWDC

- ▶ Lack of funds, the funds collected at tollgate is very small amount, with which not much work can be done.
- ▶ No support from the Panchayat and the APTDC, since it is outside the purview of both, financial support is nil. Fund raising plans are underway.
- ▶ The Committee members are not properly trained for tourism activities. Given the lack of understanding about tourism as an economic activity and the requisites of the same is yet to be understood by the tribes.
- ▶ Tourists and the jeep services manipulate the tribes. Sometimes they shout over the tribes reluctant to pay the tollgate fee
- ▶ Road construction is been halted by jeep owners, lobbying with local MLA.

State Tourism

Borra Caves:

- ▶ Discovered in 1807 by William King George (GSI)
- ▶ Also called “Borra Guhaalu”
- ▶ Situated in Ananthagiri hills, Vishakapattanam.
- ▶ Limestone caves formed of Stalactites and Stalagmites.
- ▶ Home to Mica and Rubies, Bats are predominant inhabitant fauna.

- ▶ Andhra Pradesh Tourism Development Corporation runs the place.
- ▶ Per day on an average Rs. 3 lakhs revenue is generated in 'seasons'

Though it seems a well-developed tourism spot, Borra Caves has its own internal difficulties and politics. Ever since Andhra Pradesh Tourism Development Corporation took over the place promising growth and development of the local tribes, it has always been in news for various other reasons except tribal development.

Adverse Effect of Tourism on Borra Caves

- ▶ The limestone caves are very sensitive.
- ▶ Proposed 2 track railway route is a threat to the caves.
- ▶ Hotels outside the caves do not understand waste disposal and plastic disposal.
- ▶ Tourists make noises and make the bats, life miserable, bats are the caves inhabitant fauna
- ▶ the cement and other pathways inside the caves have slowed down the chemical mechanism.
- ▶ The original inhabitants of the caves, tribes, have seen no changes in life in spite of profitable tourism.
- ▶ All the business is run by the outsiders and managerial jobs, supervisory jobs are taken up by the outsiders, which are fundamentally against the scheduled area objectives.

APTDC v/s BCTGE Welfare association

- APTDC took over the place promising tribal welfare.
- False promise of permanent jobs in 1994, still the guides work under contract basis.
- The proposed 20% profit sharing goes to Borra Panchayat where the funds trickle down nowhere.
- All the lower strata jobs are given to tribes, whereas the managerial and supervisory jobs are taken up by non-tribes(outsiders)
- Tribes, security guards, guides report harassment cases by the higher officer, but none attended.
- The jeep services, only transport services are run by outsiders with the supporters of local MLA.
- The jeep drivers are tribes, paid Rs.200to Rs.300 a day.
- Hotels are run by non tribes, but again the workers are tribes.
- Bamboo chicken fights between tribes and hotel owners. Bamboo chicken is the recipe of the local tribes and their only food business which is been looted by private hotels, as they have started providing bamboo chicken at a lower prices.

Community Tourism the next big thing in the scheduled area!

Here are few points why community tourism is better than state run tourism in the scheduled areas and also their potential to become a successful development model.

- ✚ Collective tourism v/s state government run tourism. The community model seems more transparent and accountable as it is within the community and also the motivation to work for the community is more as one belong to the same community
- ✚ Slow steady and sustainable growth v/s rampant growth. The scheduled area is rich with minerals and forest resources, even if it's the government it has to go for a sustainable model, but given the current models of economic development, where the state itself behaves like a private company, sustainable growth is impossible, hence this model comes with a readymade solution for the sustainability.
- ✚ Community profits v/s State profits. Since it is imperative that the scheduled areas resources should be meant for tribal development, again it curbs the problem rises in a government setup where the revenue movement and trickling back to the tribes is still a dream (Borra Caves is the best example)
- ✚ Inclusive development v/s Exclusive development. The best possible thing that is possible in this model is the inclusive policy making and implementation where the actual parties are in the loop during the entire process, so there is exclusion possible here.
- ✚ Justice to Scheduled areas provisions v/s typical market environment. The tribal community who are fundamentally invested in their community and looks for a holistic development wouldn't be able to grasp the market driven model of approach to growth, since they don't have a individualistic approach to life and uplifting. opportunities must be served to everyone, justice and equality cannot be found in market where selling and buying happens. Justice can only be served when equality prevails.

Policy recommendation.

As we observed in the report till now the backwardness of the scheduled area is caused by many non-linear issues which needs to be understood with an interconnections to come to a collective understanding of the policy problem and frame suitable policy.

1. Alternative governance model: as understood from the explanations from the above chapters, the government in association with NGOs and higher educational institutions like Samata and NLSIU Bengaluru, respectively to undertake research and frame policies. But including the concerned tribes to undertake this research is a must.
2. Mandatory services for civil servants: just like the Medical practitioners are mandated to serve in rural PHCs for a year, civil servants should be made mandatorily serve in scheduled are for at least 2 years.
3. Residential schools specially meant for scheduled areas: Similar to JNV schools these scheduled areas must have residential schools providing education till intermediate, knowing that the current education is not helping the tribes in anything but making them literates. Unless they are educated effectively no self-rule (swarajya) is possible in tribal lives, they shall always depend on others.

4. Extensive awareness program: Unless the tribal people feel confident that no force can alienate them and manipulate them. In this regard, Samata has done remarkable job, the katiki villagers are aware of their right and can mobilise themselves to assert if any violation happens. To work for them is easier, but to work with them is what they need to feel secure and integrated with the *mainstream* society and the nation. As long as they are afraid of the state and skeptical about non-tribes, national integrity is a myth.

Personal reflections

“Educate, Organise and Agitate” -Dr. B R Ambedkar

These words shall stand true for any marginalized, deprived and excluded community in the world. In the name of development and uplifting, the upper hand of the society claims its dominance as a mechanism of development of the lower class and caste in the nation. Hence we see, the marginalized are always governed and ruled, though the reservation system makes it seem like the chariot is in their own hands the control lies with the powerful section only.

To fight this dominance and assert for their deserved rights they need to organize as a collective force to claim their long due justice, but an unguided and uneducated organization hasn't worked in the past.

Hence, educate them. By education I do not mean literacy or not even the mere formal school, college education but an education which makes their feet strong to stand firmly against dominance, education which makes them stronger from within to fight the discrimination, education which makes them enlightened to rise above foreign rule be their own destiny makers.

This field trip had given clarity in my life to what would be my destiny and who I will be serving in future. I recommend one should take a reality check trip like this and experience the pain themselves, unless it is our pain we won't react. Unfortunately sensitivity has become thing which needs to be deliberately taught and realized, we shall strive hard to sustain this sensitivity in the society and make a difference the marginalized sections. Come one come for all!!