

**Regional Tribal Meet, held at Gujurati Samaj, Kendujhar  
on 11-12 Nov. 2006 under the aegis of Lok Adhikar Abhijan, Kendujhar with  
support from Jana Bikas Kendra, Kendujhar**

*-A few snippets from the Report*

Tribal men and women from 5 northern districts of Orissa such as Kendujhar, Deogarh, Anugul, Mayurbhanj and Sundargarh took part in the two-day meet on 11<sup>th</sup> and 12<sup>th</sup> Nov. 06. It was organized with the prime objective of bringing together to a common platform the tribal groups of these geographically contiguous areas who share a more or less common past and are living through similar kinds of problems and issues, and help them thereby interact among themselves and also with sensible citizens from non-tribal sections who are deeply concerned with their well-being and progress.

On 11<sup>th</sup> instant at around 11.45 am it was inaugurated by Sri Mahendra Pradhan, ex-Sarpanch of Singhpur G.P. of Banspal Block in Kendujhar district by way of lighting the ceremonial candle. Seated in the dais were Sri Sarat Chandra Pradhan, Secretary Jana Bikas Kendra, Chief Guest Sri Bhagirathi Mahanta, Senior Advocate at Kendujhar Bar, Sri Ashok Nath Programme Coordinator JBK and Sri Chitta Behera, social scientist. A little later, Sri Mohan Charan Majhi, MLA Kendujhar, the Guest Speaker of the occasion joined in the meet and spoke too. Sri Sarat Ch. Pradhan presided over the inaugural session which continued upto 3 pm in the afternoon.

**Sri Ashok Nath:**

To start with, Sri Ashok Nath welcomed the guests, media persons, NGO functionaries, eminent citizens and also participants who gathered in the tribal meet to make it a success. Elaborating on the objective of the meet, Sri Nath said that the process of development pursued so far in the country didn't reflect the principal interests and aspirations of the scheduled tribes, though the latter are the original and oldest inhabitants of the land. In stead, whatever has been done in the name of planning and development has increasingly snatched away their control and rights over the common property resources, which are integral to their life and livelihood. As of now, they don't have any control over the land, water and forests that constitute their traditional habitat. Even whatever small control over collection and marketing of minor forest produce was granted to them earlier is now being slowly but steadily eroded in very many shrewd ways, that are beyond their comprehension, let alone resistance. They are now deprived of their age-old right to prepare at home the traditional drinks like Handia and Mahuli and compelled to buy spurious liquor from Bhatiwala (liquor outlet licensed by Govt. in tribal areas) and that too at exorbitant price. The primitive tribal groups like Juangs, Mankidia and Paudi Bhuyan are the worst victims of the current process of lop-sided development. Even the tribal communities are fast losing out their own, time-worn religio-cultural heritage. It is, for instance, strange to witness that the tribals who didn't observe image-worship of any kind in the past and used to worship only the various forms of nature are now found to build statues and temples for Hindu Gods like Krushna and Hanuman. Other institutionalized religions are also invading the sacrosanct, pristine faith of the tribes, with some ulterior motives of their own. Under the circumstances time has come when the Adivasis themselves should pause and ponder as to whether the course of development they are now passing through is legitimate and beneficial for them in the long run, and whether they should allow the current developmental process orchestrated from above to continue as has since been the case, irrespective of their say in its formulation.

**Sri Chitta Behera, Chief Speaker:**

Sri Behera first of all told that he came here to listen to the talks by tribal leaders and other speakers on the issues surrounding the tribal community, rather than deliver a talk to an assembly of tribals who knew their needs best. The issues raised by Sri Behera in course of his talk can be summarised as follows:

- The heroic resistance shown by Adivasis at Kalinga Nagar is a unique and unprecedented event in the history of tribal struggles. Nowhere else can one find a parallel to the fact of so protracted a road blockade as the one organised by the Adivasis on the Daitari-Paradip Express Highway in the wake of the police firing on 2<sup>nd</sup> January 2006;
- The whole State has got the benefit of tribal resistance at Kalinganagar; the State Government felt compelled to notify a State level R&R Policy under the impact of this episode;
- PESA Act 1996 was introduced as an enabling law for the States who should have enacted the necessary laws and amended the existing laws to provide for self-governance in tribal areas, the true intent of PESA;
- The amendments brought about by Government of Orissa in the PRI related laws purportedly to accommodate the mandate of PESA fell far short of the letter and spirit of the latter; these amendments are rather retrograde in substance and stumbling blocks to proper implementation of PESA;
- From the perspective tribal self-governance, PESA has several loopholes too. For instance, it says on one hand that the Gram Sabha in Scheduled Areas need to be consulted in matters of land acquisition for any developmental project and formulation of resettlement and rehabilitation policy for the displaced and affected people, and on the other that the final decision about such matters shall be taken by way of coordination at the State level;
- One important principle that PESA recognised is that all the Govt servants working in a Scheduled Area should act as subordinates in relation to Gram Sabha. But it is never implemented and the Governments continue to behave as super-lords over the Adivasis as before;
- PESA in its concluding provision has mandated that efforts should made to endow the 5<sup>th</sup> Scheduled Areas with those provisions relating to autonomy and self-governance which characterise the 6<sup>th</sup> Scheduled Areas;
- In 6<sup>th</sup> Schedule Areas, between Gram Sabha and District Council there is no intermediary stage in the administrative system. Gram Sabha adjudicates all disputes relating to civil and criminal matters. There is no RI, nor a Policeman nor a Forest Guard to keep the villagers under their thumb. Thus the tribals in 6<sup>th</sup> Scheduled Areas enjoy much more freedom than the tribals in 5<sup>th</sup> Scheduled Areas. The civil society groups should therefore unleash a vigorous campaign to ensure necessary legislation

- to empower the Gram Sabhas in 5<sup>th</sup> Schedules Areas with those rights and freedoms, which exist for their counterparts in 6<sup>th</sup> Schedule Areas;
- It is ironical that the tribal community which has the expertise to prepare drinks of a wide variety- Handia, Chauli and Mahuli etc. have been forbidden by law to make them at home, and are instead asked to buy adulterated ‘country liquor’ from the Bhati owners licensed by the Government. Foreign liquor shops are being opened indiscriminately in the Scheduled Areas, a fact which goes against PESA, since the latter has given power to Gram Sabha to decide their own excise and prohibition policy.
  - Unless the tribal communities are given power of self-governance in their respective areas, their condition shall continue to deteriorate in future as it is now.

**Talk by Sri Mohan Charan Majhi, MLA Kendujhar:**

The following points were highlighted in MLA’s talk-

- Adivasi, the oldest community have been pushed to the lowest rung of society today;
- Though the Govt introduces various schemes for the welfare of Adivasis, they are in reality ignored by the Government officials at each step;
- Irrelevant and thoughtless planning being imposed on the tribal community, for instance loan schemes for goatery and piggery etc.
- If the present State R&R Policy has any good beneficial provisions for the tribal displaced people, then the whole matter should be explained to them;
- After of his visit to Kalinganagar in the capacity of Deputy Chief Whip of the Govt, he had asked the Govt. why our people were killed? It was a very tragic episode. He talked with them in Santhali language. On their demand the Govt raised the initial amount of Rs.1 lakh to Rs.5 lakh as compensation to be paid to each family whose member was killed in the police firing on 2<sup>nd</sup> January 2006;
- Adivasis have created the infrastructure of the State including even the Secretariat and other buildings at Bhubaneswar but are deprived of the minimum benefits necessary for their life;
- The law prohibiting the transfer of tribal land to the non-tribals has not served its purpose. Benami transactions over Adivasi land are found to be taking place on a rampant scale;
- Adivasi should therefore have the right to sell their land to meet such unavoidable needs as health and education;
- Non-tribal and outside people are able to take the lease of the mines by showing their land assets, but an Adivasi can’t afford to take such lease, since the law forbids the mortgage of tribal land for any purpose whatsoever;
- If the Orissa Prohibition Act of 1956 banned the opening of foreign liquor shops in tribal areas, there is point why it shouldn’t be implemented now.

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