



Research Paper

Poverty, Displacement and Marginalization: The Case of MCL Displaced Communities in Tumulia Panchayat of Sundargarh, Odisha, India

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Abstract

The Tumulia Panchayat of Hemgir, Sundargarh¹, which has been occupied by Mahanadi Coalfields Limited (MCL)² in 1993 as part of the mining project because of the area's high coal reserve, serves as a base for this study. Tumulia was added to the Kulda Open Caste Project under MCL, making its dwellers eligible for benefits such as compensation, resettlement, rehabilitation, and other essential benefits. However, after the passage of decades, people in this region continue to live in poverty. The social fabric of the inhabitants, particularly the tribals, has been destroyed by this endeavor. Lack of access to healthcare, employment opportunities, and education have made people's lives miserable. Additionally, the agricultural lands have been getting smaller due to the acquisition of land by MCL for coal mining. The villagers are facing increasing obstacles as a result of environmental degradation and the destruction of forest cover. Because of poverty, unemployment, and the influx of migrants, crime rate has surged. The already vulnerable social position of the women folk is further declining since the development project has unearthed multiple facets of oppression.

Keywords:

Displacement, Development, Poverty, Compensation and Employment.

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I. Introduction

The Sundargarh District, presently in the Western-Odisha region covers a total area of 9,712 square Kilometer.³ Being the second largest district after Mayurbhanj by area, 6.23% of the state of Odisha comes under Sundargarh District.⁴ The district is bordered on east by Keonjhar District of Odisha and Jharkhand; on the west and north-west by Chhattisgarh; in the south and south-east by Sambalpur, Jharsuguda and Angul Districts of Odisha and in the north and by Jharkhand State.⁵ On 1st January 1948, the erstwhile princely state of Gangpur⁶ and Bonai⁷ merged together to form the present day Sundargarh District seceding from the undivided Sambalpur District. It is in present time divided into three sub-divisions namely; Sundargarh, Panposh and Bonai. The subdivisions are again divided into three Municipalities, one Municipal Corporation, 18 Tehsils, 17 Panchayat Samities, 262 Grama Panchayats and 1764 villages.⁸ The area of our study, Tumulia Panchayat is located in the Hemgir Block/Tehsil of the Sundargarh Subdivision. It consists of 2,190 hectares of area in total.⁹ It is located near NH49.¹⁰

The Census 2011 shows that, the total population of Sundargarh District is 20,93,437. It is the sixth largest district of Odisha as per population having 4.99 percent of the population of Odisha.¹¹ Out of these

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10,61,147 people are male and 10,32,290 are female. This district is a tribal dominated district with 50.74 percent of the population are Scheduled Tribes; whereas the total schedule caste population is 9.15 percent of the entire population. Out of the tribals living in this district, major tribes are Bhuyan, Munda, Oraon, Kisan and Gond.¹² The demographic trend of Sundargarh shows decline in tribal population from 1951 to 2001, probably because of the migration of non-tribals into the area due to industrial and mining activities.¹³ Whereas, the growth in tribal population from 2001 to 2011 is due to increasing labor force of STs in the developmental projects.¹⁴

The Tumulia Panchayat includes the villages of Kulda, Kunda, Gadadwara, Tumulia and Sahashapur. The population of the Tumulia Panchayat as per the Census report of 2011 is 5,543, out of which 2,800 are males and 2,743 are females.¹⁵ The tribal communities found here are Bhuyan, Gond, Khadia, Kisan, Bhuyar, Bhat, etc.; the castes belonging to SCs are Chamara, Ghasia, Ganda, Keuta, etc. and other castes residing here are Luhura, Gauda, Agharia, Brahmin, Gosain, etc. The total Schedule Tribes population of Tumulia is 2,762 which is 49.83 per cent of the population of Tumulia; of the total ST population 1,388 are females and 1,374 are males. The total Schedule Castes population is 777, they constitute 14.02 per cent of the population of these villages, of which males and females are 402 and 375 in numbers respectively. Others constitute 36.15 per cent of the total population by being 2,004 in numbers, of which females are 980 in numbers as compared to 1,024 numbers of males.

The average literacy rate of Sundargarh is 73.34 per cent. Gendered literacy rate are 81.01 percent for males and 65.48 percent for females. It shows huge gap in between the literacy rate of males and females in both rural and urban areas. The literacy rate of Tumulia is 62.89 per cent i.e., 3,486.¹⁶ It is lower than the average state literacy rate of 72.87 per cent in Odisha¹⁷ and also district literacy rate of 73.34 per cent in Sundargarh. In Tumulia village 65.93 per cent of total male population and 59.79 per cent of total female population are literate.¹⁸

The Census Report of 2011 also gives us the occupational composition of Tumulia Panchayat. As per the report, the total worker class people of Tumulia are 2,030; out of which main workers¹⁹ are 1,473 in number and marginal workers²⁰ are 557 in number. The 2011 Census provide us with the further categorization of these groups. It says, 592 number of people are cultivators, 246 are agricultural laborer, 32 are household industry workers and 603 are the other workers.²¹ Out of the total population, 2,852 number of people are non-workers.²² In the past years there is seen diversion of working population from agricultural to industrial sector. The contribution of females towards the working population is mere 34.48 per cent as compared to 65.52 per cent male working population.

Geographically, this region forms a part of the Chhota-Nagpur Plateau and is rich in mineral resources, particularly the Coal. In the post-independent India, the District of Sundargarh in general and the Tumulia Panchayat in particular had caught the attention of the state. According to reports, there are reserve of 6000 million tons of coal in Basundhara-West mines and Kulda Open Cast Project²³ combinedly, which are two working mines in close proximity to each-other situated near Sundargarh town, under Ib Valley Coalfields. The villages of Tumulia Panchayat come under Kulda OCP.²⁴ The villages, being a part of Chota-Nagpur plateau; is abundant in forest, water and other mineral resources. The river Basundhara flows through the region, plays crucial part in agricultural production in the area. However, most of the agricultural activities in this area depend upon rain-water. The majority of people of this village depend on agriculture for their living. The agricultural land covers 1412.79 ha area of which 112.04 ha land is irrigated by canal water.²⁵ Out of the rest 86.58 ha is used for non-agricultural purposes, 26.22 ha is waste cultivable land and 298.13 ha is pasture land used for grazing purpose.²⁶

II. Entry of MCL

Sundargarh being a mineral rich region, is very important for the economy of Odisha. But one of its disadvantages is that, these minerals deposits are situated either in inhabited areas or in dense forest region. So, destruction of forest cover as well as displacement of large number of people is needed to extract these minerals. So, there are a number of acts to regulate the situations properly in such cases, they're, Land Acquisition Act, 1894; Indian Forest Act, 1927; the Forest Conservation Act, 1980; Mines and Minerals (Development & Regulation) Act, 1957 and Coal bearing Areas (Acquisition and Development) Act, 1957.²⁷ All these acts enable government to envisage compulsory acquisition of land by providing adequate compensation to the land holders. In Sundargarh District, through the same process of land acquisition, coal is being extracted by the Mahanadi Coalfield Ltd. (MCL).

The Mahanadi Coalfields Ltd. is one of the eight subsidiary companies of Coal India Limited (CIL), which is the biggest coal producer in the country. MCL is in existence since 3rd April, 1992.²⁸ MCL comprises of two major coal producing coalfields of Odisha, they're, Talcher Coalfields and Ib Valley Coalfields, having both open cast and underground mines. There are 10 operational mines at Talcher Coalfields and 11 operational mines at Ib Valley Coalfields.²⁹ Out of the mines, 6 are Under Ground and 15 are Open Cast Projects (OCP).³⁰

These mines have spread over Angul, Jharsuguda, Sambalpur and Sundargarh districts of Odisha. MCL has its headquarter in Jagriti Vihar, Burla, Sambalpur.

The land was acquired by MCL for mining purpose under the 'Coal Bearing Areas Act, 1957'.³¹ The preliminary notice was first issued on 11th February, 1987 by the Central Government under Section 4(1) of the CBA Act, 1957 regarding the intention to prospect for coal from approximately 19842.26 ha of areas in total, of the Basundhara-Kulda region^{32,33}. After a region gets notified by government under Section 4 of CBA Act, buying and selling of land gets banned in that region with immediate effect.³⁴ In regions which comes under Ib Block-XI³⁵, of which Tumulia Panchayat is also a part of, the notice was issued on 24th July, 1987,³⁶ and since then, the sale of land has been prohibited in Ib Block-XI. Later, on 25th September, 1989 in Ib Block-XI another notice was released under Section 7(1) of the CBA Act, 1957.³⁷ The government issued this notice after being persuaded that the mining of coal is plausible in that area.³⁸ The final declaration regarding the acquisition of land was made on 29th October, 1990 under Section 9 of the CBA Act. Finally, Central Government issued notification under the Section 11 of the Coal Bearing Area Act, entrusting the acquired land and others' rights on MCL, on 30th March, 1993.

III. Compensation, Rehabilitation and Resettlement proposal, 2006 and 2013

The Section 13(1) of Coal Bearing Area Act talks about the appropriate amount of compensation to be paid, to the person the land is acquired from as per Section 9 of the same act.³⁹ The compensation money was to be paid to the land holders of the 15 villages under Basundhara-Kulda region⁴⁰ within few years of publication of section 4 (1), i.e., 1987. But decades passed and people remain uncompensated. So, later on after a long period battle between the land holders and MCL in the High Court of Odisha and later in the Supreme court of India, the Supreme Court directed MCL in 2012-13 to provide compensation money as per the market value of the properties on September, 2010.⁴¹ For this purpose, a Claim Commission was established by Supreme Court having their offices in Bhubaneswar and Sundargarh. The compensation was directed to be paid in accordance with 'Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill, 2013'. The MCL was said to complete payment of compensation to people of 10 villages (namely Balinga, Bankibahal, Garjanbahal, Sardega, Karlikachar, Gopalpur, Kunda, Siarmal, Bangurkela and Tiklipada) before the end of 2017.⁴²

In the Sundargarh District, the resettlement and rehabilitation for mining induced displaced people were to be provided as per the plan prepared according to the norms of the State Government. MCL adopted the Policy for 'Rehabilitation of Displaced Persons/families in connection with establishment of Mining Project, 1998'; for the resettlement and rehabilitation of the outsees of the acquired lands. But in the case of Mahanadi Coalfields Ltd. & Anr Versus Mathias Oram & Ors⁴³, Supreme court passed the order on 25th October, 2013; that said, in terms of infrastructure, resettlement was supposed to be in accordance to 'Odisha Resettlement and Rehabilitation Policy, 2006' and 'Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill, 2013'. The MCL was directed to complete its resettlement colonies in Barpali II and Chhatenpali for the displaced before the end of 2017, but no such steps to relocate and rehabilitate people have been taken so far.⁴⁴ R & R Policy of 2006 and 2013 further includes benefits such as; provision of employment to the eligible people of the displaces families, entitlement to housing plots, construction of amenities and provision of medical facilities, schools and community centres, etc.⁴⁵

The completion of speculation of total land to be acquired by CBA Act was done in 1993 in Ib Block-XI. According to notice, 7632.93 Ac of area was to be acquired of the IB Block-VIII villages and 12209.33 Ac of area was to be acquired of the Ib Block-XI villages.⁴⁶ In total, according to notice 19842.26 Ac of area was to be acquired of the Hemgir region. However, the actual acquisition of land has not been done fully till 2023. The mining project at Kulda OCP, which is a part of Ib valley Coalfields, have caused the displacement of 1210 persons of 233 number of families from occupied villages till 2018.⁴⁷ For the displaced R & R sites are being constructed in Chhatenpali and Badkhalia under Lephripada Tehasil and Sarangijharia, Barpali I, Barpali II and Tiklipada under Hemgir Tehsil.⁴⁸ As per the notification issued by District Collector of Sundargarh, there have not any list of displaced families and/or plan for Resettlement and Rehabilitation been submitted or approved by the Collector of Sundargarh.⁴⁹ As per this notice, no certificate of completion has been issued till date by the district collector for any of the 6 R & R sites. Many people of few villages have been displaced and relocated, but without any proper R & R planning and no *pattas* have been issued in the name of any of the displaced till date.

IV. Impact

1. Erosion of Community life and Destruction of Cultural Heritage

The total forest cover of Sundargarh is 40.4 per cent of the district's total area. This forest plays an important part in the lives of the tribes living in the Sundargarh District, being a tribal dominated area. It having rich reserve of minerals, is one of the leading producers of iron and coal in the state. However, the area in which

the minerals are found are populated area with dense forest cover. Hence, mining of these minerals is leading to forest cover loss and loss of cultural heritage in these regions. Due to initiation of mining, other industrial projects related to mining, there have also been started infrastructural development such as highways, residential areas, office buildings, etc. leading to more deforestation in adjacent areas. According to reports in 2924.14 Acres of land have been notified to be acquired by MCL of villages under Tumulia Panchayat, for mining purpose.⁵⁰ Developmental projects such as mining activities are supposed to be crucial for the economic development of the nation by bringing about growth in GDP⁵¹ and increasing per capita income⁵². These kind projects are supposed to be enhancing the employment opportunity of the region of their establishment, facilitate educational development and provide health care facilities. But on the contrary, the coal-mining activities in Sundargarh District are retarding the development process. People are losing their land and livelihood as their house and agricultural land are being occupied by MCL. We can also see the cultural impact of the coal mining activities, which is huge. The forest is being destroyed in mass scale, impacting the environment as well as the tribal population depended upon the forest.

The Panchayat of Tumulia consists of 49.83 per cent ST population. Forest has acquired a major part in their life as they live depending upon forest for their food, fodder, fuel, livelihood, spirituality and their identity. Agriculture and forest-based activities are the main sources of their livelihood. They believe forest to be their custodian and vice-versa. Hence, they worship forest as their mother-goddess. For prosperity, they also worship tribal deities, who are connected to the forest they live in. The tribes have lived in the periphery of the society since ages, having distinct cultural practices of their own. Over period, they have been brahminized and their cultural practices have been observed into the mainstream practices. One of such examples can be seen in Tumulia, where the tribal deity, Manikeswari Mata, is worshiped widely as the village deity by the tribals as well as the non-tribals. With the acquisition of land and forest by MCL, the cultural and spiritual practices of the villagers are being hampered. The sites with cultural importance, the places of their worship and the temples of their deities are being destroyed.

Talking about the social structure of the tribes, we know that they lead community life and believe in communal possession of land. In very few instances we can see them having individual right over land. They are living in their ancestral land from a long time and lack the awareness and also interest of having legal possession over their land. The big companies, like MCL in this case, always take advantage of this. Due to lack of proper registration and awareness, some people are unable to get compensation for their ancestral land, which they have been possessing from generations. The absence of individual rights over land has made it easy for MCL to acquire land without paying compensation or providing resettlement and rehabilitation to people. The application of actual authority over land in Siarmal OCP involves 2290.45 ha land, of which 349.709 ha is revenue forest land and of the non-forest land of 1940.74 ha, 1466.95 ha is private land, and the rest 473.79 ha is government land.⁵³ The reserve forest, which provided livelihood to the local tribes is shrinking due to land acquisition. The loss of forest and cultivable land has led to diversion of working population from agricultural sector to non-agricultural sector. The poor tribals have lost their traditional livelihood as cultivators and gatherers. Hence, forest has moved from object of prime importance to object of secondary importance.

2. **Unemployment and Resultant Poverty**

For improvement of the poor class and marginalized communities, education is of paramount importance. Developmental projects like mining are always involved with development of education in the area of their interest for producing educated working-class people. In the Talcher region, MCL is engaged in educational development by establishment of school and colleges, but the children of the MCL employees are mostly getting benefitted from it.⁵⁴ However, no significant change have been noticed in educational sector in the Ib valley region. Study shows no recognizable difference in literacy rate between the mining villages and the adjacent villages.⁵⁵ There are DAV Public Schools in Tikilipara and Chatenpali established by MCL giving low-cost educational facilities to the children of the employees. But for the poor children of the villages, the cost is very high, almost inaccessible. This explains the reason behind the low literacy rate of Tumulia as compared to average literacy rate of Sundargarh.

Among the R & R benefits, there is provision of employment opportunity for the displaced as per their educational qualification, experience and skill. The survey for this purpose was done by MCL officials on 2013-14, but no steps have taken till today. Some people have gotten employment letters only recently as per the survey that was done way back in 2013. The result of it is that, some people who were below 18 and ineligible during the survey of 2013 are now eligible for employment as per their age. But because of the negligence of MCL, they are being forbidden from their rights. Some people who were entitled to employment as per 2013 survey are reaching their retirement age, but there is no sign of them getting employment in nearer future. Because of this kind of attitude of MCL, people are hopeless and have compromised with the fact that, they are not getting out of poverty any soon.

The land acquisition of Tumulia along with other neighboring regions of Sundargarh was done as per CBA Act in 1887 and from that year onwards the sale of land and construction of new structures are banned. However, even after 36 years, the families have not been compensated and rehabilitated. The locals are facing economic issues due to the ban, as they are not being able to sell their land in the time of their need. The construction of new structures are also prohibited after enforcement of CBA Act. MCL authorities are refusing to give compensation for newly constructed structures post 1987, as they thought the villagers will get unfair advantages by claiming more compensation money. However, the problems faced by people are that old structures and houses are not in the condition of living because of not being repaired for decades. Mostly, the mud houses that the poorer class people⁵⁶ live in are in miserable condition. The factor that is adding salt to their wound is that, the mines are very close to the villages and the vibrations arising from blasting operation incurring there, are weakening the surface structures. These problems along with the delayed compensation and rehabilitation measures are hampering the 'Right to an Adequate Standard of Living' conferred on every citizen of India in Article 11 of the *Fundamental Rights*.

The occupation of cultivable lands by MCL is affecting the livelihood of people who live depending upon agricultural lands, such as, farmers and agricultural laborers. With the growing mining operations, agricultural land is shrinking. The progress of resettlement and rehabilitation process is so slow that people are even struggling to get a proper shelter, let alone getting land for agriculture. The low employment rate in mining projects and shrinkage of agricultural land has added to the poverty of people. The Dust pollution happening due to the mining and transportation activities⁵⁷ are damaging to both environment and agricultural production. The bad conditions of roads are adding to this problem, which shows us the negligence of peripheral development by MCL. MCL only for the sake of it, spraying water over the roads by tankers to settle the dusts, which can be called a superficial measure. One local of the village Tumulia named Gurupada Tripathi said:

"The amount of pollution occurring in here is really unsettling. The health-care facilities are only accessible for the employees. the roads are not in good condition. There are no working streetlights in my neighborhood. Getting clean drinking water is very difficult, even the PHD water is supplied once in every two days. There is no standard waste management system in this area. The standard of living in the Tumulia village is very low."

The coal dust is affecting the non-timber forest products on which the tribals are dependent upon along with agricultural production. The settling of dust particles on flowering plants is leading to reduction of the ability of plants to reproduce, due to which there has been seen decrease in production of different forest products. Because of the toxic black coal dust, the crops, largely rice, which is the main crop of cultivation of Sundargarh, are turning black and becoming main cancer inducing factor. The blackish tar settling on the surface of the crop is not washable. This has attracted the attention of district and block agricultural officers and soil scientists.⁵⁸ The farmers are not being able to sell their surplus in the market. So, the crop cultivation is stopped in most of the region. The polluted air and the silica dust being released during the mining is causing various respiratory diseases and lung cancer.

3. Crime and Violence (Prostitution, Alcoholism, Sexual crimes etc.)

Since MCL began operation, theft has escalated in the Kulda region. MCL has brought chief labor force from various other states to fulfil the demand of labor force. Additionally, a lot of truck drivers are travelling through this region for transportation of coal. This induced irregularities in the peaceful village life of the people. There have been numerous reports of small-scale thefts of vehicles and their parts. Because of the inflow of outsiders, the demand of alcohol has increased in this region. It has induced the establishment of many liquor shops. The innocent and poor villagers are falling prey to the alcohol addiction because of it and in turn they are spending their earnings as well as lifetime savings on alcohol. With increase in alcohol consumption, the domestic violence has also increased. Women are turning into victim of their husband's addiction. According to one Phula Pradhan of the village Tumulia:

"The crime-rate has increased in this area specifically because of the arrival of outsiders. I have heard the theft of motorbike parts and petrol many times. Number of liquor shops has also increased because of the increase in traffic in the national highway. After the establishment of MCL, the men of our village have started to earn, some have also got their compensation money. They are spending their money in consuming alcohol. They are beating their wives. It would be very good if alcohol would get banned."

Talking about crime, we cannot forget the crime happening against the leaders and activists in the areas of the developmental projects. Reports shows that, globally at least 185 indigenous leaders and activists were killed in 2017 for protecting their local habitats which is a tiny decrease from 2016's 201 deaths but a significant increase from 117 in 2014 and only 51 in 2002.⁵⁹ At least 1,500 environmental activists and defenders have been killed overall from 2002-2017.⁶⁰ In Tumulia, however, this is not the case. There are only some instances of threat calls and one instance of a journalists getting beaten up in Garjanbahal. The Sambad newspaper has written:

“On 18/02/23 journalist named Debendra Bhitiria was attacked in Garjanbahal mines, MCL. He had gone there to collect some information. But 50 plus men in 6 cars reached there and surrounding him, started to beating up. 5 to 6 of them threaten to kill him. MR. Bhitiria has informed the police about it. The police have promised to get hold of the culprits. Reportedly, Mr. Bhitiria was there to collect data about the illegal mining practices in that area. There are reports of some of the journalists of Hemgir being threatened to not publish an article related to corruption happening in District Mineral Foundation before some month of this incident.”⁶¹

Talking about prostitution, there is no better illustration of how prostitution has been linked to capitalism and industrial growth than citing the example of prostitution that emerged in mining communities from the middle of the nineteenth century.⁶² Prostitution had been and is being tolerated as a part in the process of community and industrial development. Commercial sex is regarded to be the by-product of both economic expansion and recession.⁶³ In simple words, the economical helplessness of the poor women and the development in economic condition of industrial worker is the reason behind elevation of sex trade specially in industrial and mining areas.⁶⁴ Tumulia is located near NH 49, where we can observe sex trade by the poor class women of the nearer villages. A few numbers of transgenders residing in those areas are also engaged in selling of sex. The truck drivers and industrial laborers from other states, who are living away from their families are main consumer of commercial sex.

4. Marginalization of Women

At first property rights were given only to men, but later in 1955, with the codification of Hindu Marriage Law, women also got property rights in India. For married women in India, the Hindu Marriage Act of 1955 represented a significant improvement in their property rights.⁶⁵ By recognizing married women's rights to property, inheritance, maintenance, and alimony, this law gave married women greater protection. This law was further strengthened by Hindu Succession Act of 1956. This act allowed married Hindu women to inherit their husband's property, manage and dispose it.⁶⁶ It empowered the women to have a say in her in-law's house, also after the death of their husband. However, this act also said that the daughters of a male who passed away intestate were entitled to an equal portion of the separate property with their brothers, but not of joint family property; hence, this law was gender unequal.⁶⁷ The Hindu Succession Act was later amended in 2005 to say that daughters have equal right over both joint family property as well as the separate property.⁶⁸ Irrespective of the married status of the daughters, they get to be coparceners in their father's Joint Hindu Family.⁶⁹

The women are facing inequality in getting the compensation, resettlement, rehabilitation and its related benefits. Irrespective of presence of laws such as Hindu Marriage law, 1955 and Hindu Succession Amendment Act, 2005; which gives equal rights to women over the property of husband and father, it's not being followed by MCL. R & R benefits includes the equal opportunity for employment along with other benefits, but the married daughters of the landholders are declared ineligible for this benefit. In the R & R Policy, 2006 of Odisha there is the definition of family given is such- *"Family" refers to the individual and his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother, and other family members who have lived with the individual throughout the course of their lives.*⁷⁰ Which is also cited by the High Court of Odisha in the *Mahanadi Coalfields Ltd. versus State of Odisha and Others* case.⁷¹ The married daughters have not been included in the family structure for getting benefits included in the R & R Policy, 2006. It directly impedes the right of women imposed on them by Hindu Succession Amendment Act, 2005; which says that women are part of father's family irrespective of their marital status. The amended R & R Policy of 2013 has also failed to address the issue and take any measure in that direction.

The Hindu Succession Act, 1956 and its amended act of 2005 talks about equal share of father's property among all sons and daughter. It means that the compensation money that a family get from the development induced displacement process should be distributed evenly among all the heirs. However, the women are being exposed to manipulation of the brothers and others family members to decline the compensation money. They have to choose between their brothers and the compensation money. They are being forced to agree to the conditions set down by the brothers and sign the consent notes, by means for emotional blackmailing and boycott. After signing the consent notes, they are legally bind not to claim anything more than what is mentioned in the consent notes. This has resulted in dispute among the family members. Regarding this Namita Patel (changed name) have said:

“I signed the consent note in fear of being boycott from my parents and my brothers. I know that as per law I should have the equal share of compensation money as my brothers. But I did not want my relation with my brothers to be hampered due to it. My parents also supported my brothers. But my husband and in-laws are not that happy of the fact that I agreed to take less money than I should have got. But they have not said anything regarding it. I have two brothers and each of them have got 2.17 Cr but I agreed for 25 lacks only.”

The women are being harassed by their father side of family members if they are not signing the consent notes. If they are signing the agreement note, then they are being subjected to harassment by in-laws and husband. The women are falling victim to torture and assault on the hands of their in-laws. It has becoming

one of the reasons of increasing domestic violence in the MCL, Sundargarh region. The husband and in-laws are using coercive measures to force the person to not agree to the condition laid down in the consent notes. The women are experiencing physical, sexual, emotional and/or psychological forms of violence.⁷²

V. Conclusion

We can conclude from this study that, the people living in the Tumulia Panchayat, have been subjected to displacement, are suffering from illiteracy, unemployment, poverty due to negligence of MCL. Authorities have turned deaf years to the plight of people. The compensation, resettlement and rehabilitation works are nowhere near completion. The people are living in uncertainty every day. The tribal people living in this area are the mostly affected people. They are going through social, cultural and economic degradation at once. They are uneducated and unaware, for which they are falling prey to the hands of MCL, as well as the higher castes. These along with contamination of air, water and soil have contributed significantly to the low quality of life of the people. There are many instances, we can see the affected people going from door to door of the responsible authorities as well as the district and state authorities. But there are very less instances of the authorities actually responding to their plea. The loss of forest, land and other natural resources as well the environmental pollution has led to the loss of livelihood and even lives of many people.

Notes

¹ Sundargarh is situated in the western part of Odisha, India.

² Mahanadi Coalfields Ltd. (MCL) is a subsidiary project under Coalfields India Ltd.

³ Taradatt (2016), "Odisha District Gazetteers: Sundargarh", Gopabandhu Academy of Administration, General Administration Department, Government of Odisha, p. 3.

⁴ Ibid

⁵ Registrar General and Census Commissioner of India (2011), "Census of India 2011 Odisha: District Census Handbook, Sundargarh", The District Census Handbook, p. 11.

⁶ The Gangpur ex-State forms a part of the Sundargarh District. Gangpur was after 1948 divided and formed the sub-divisions of Sundargarh and Panposh as we see it today.

⁷ Bonaigarh or Bonai, by merging with Gangpur, formed the district of Sundargarh. The Bonai sub-division of the three sub-divisions of Sundargarh today was once a Princely state.

⁸ Taradatt (2016), "Odisha District Gazetteers: Sundargarh", Gopabandhu Academy of Administration, General Administration Department, Government of Odisha, p. 3.

⁹ Retrieved from: <http://geolysis.com/p/in/od/sundargarh/hemgir>

¹⁰ Retrieved from: <http://www.onefivenine.com/india/villages/Sundargarh/Hemgir/Tumulia>

¹¹ Taradatt (2016), "Odisha District Gazetteers: Sundargarh", Gopabandhu Academy of Administration, General Administration Department, Government of Odisha, p. 79.

¹² Ibid, p. 96.

¹³ Ibid, p. 94.

¹⁴ Ibid.

¹⁵ Indian village directory. Available at: <https://villageinfo.in/odisha/sundargarh/hemgir/tumulia.html>

¹⁶ Registrar General and Census Commissioner of India (2011), "Census of India 2011 Odisha: District Census Handbook, Sundargarh", The District Census Handbook, pp. 113-120.

¹⁷ Extracted from population Census report of Odisha: <https://www.census2011.co.in/census/state/orissa.html>

¹⁸ Registrar General and Census Commissioner of India (2011), "Census of India 2011 Odisha: District Census Handbook, Sundargarh", The District Census Handbook, pp. 113-120.

¹⁹ Main workers get to work for more than 6 month a year i.e., 183 days. They work for major part of the year.

²⁰ Marginal workers are those, who remain idle most of the time of the year and get to work for less than 6 months in a year.

²¹ Registrar General and Census Commissioner of India (2011), "Census of India 2011 Odisha: District Census Handbook, Sundargarh", The District Census Handbook, pp. 114-123.

²² Ibid.

²³ Open Cast Project, also referred to as OCP, is a mining technique where coal or ore is taken out at or from a level close to the earth's surface as opposed to from shafts. Kulda OCP has affected the people of several villages viz. Balinga, Bankibahal, Karlikachar, Tumulia, Tikilipada, Siarmal, Kulda, etc.

²⁴ Centre for Integrated, Rural and Tribal Development (CIRTD) & Centre for Policy Research (CPR)-Namati Environmental Justice Program (2018), “Closing the enforcement gap: Ground-truthing of environmental violations in Sundargarh, Odisha”, CPR- Namati Environmental Justice Program, New Delhi, p. 8.

²⁵ Retrieved from: <http://geolysis.com/p/in/od/sundargarh/hemgir>

²⁶ Ibid

²⁷ In the Supreme Court of India Civil Appellate Jurisdiction, Special Leave Petition (C) No. 6933 of 2007, “Mahanadi Coalfields Ltd. & Anr Versus Mathias Oram & Ors”.

²⁸ Quality Control Department, MCL HQ (2019), “Annual Coal Grade 2018-19”, MCL Headquarter, p. 4.

²⁹ Ibid.

³⁰ Ibid.

³¹ Government of India (1957), “The Coal Bearing Areas (Acquisition and Development) Act, 1957”.

³² 15 numbers of sites, viz., Sardega, Jhupurunga, Ratansara, Gopalpur, Tikilipara, Siarmal, Tumulia, Karlikachhar, Kulda, Bankibahal, Balinga, Garjanbahal, Bangurkela, Kiripsira, Lalma R.F comes under the Basundhara-Kulda region. They are divided into Ib Block-VIII and Ib Block-XI.

³³ Director General of Forest (Central) (2021), “Site Inspection Report in Respect of Diversion Proposal of 349.709 ha. Forest Land for Siarmal Open Cast Coal Mining Project of Mahanadi Coalfields Limited”, Government of India, p. 4.

³⁴ Retrieved from: <https://www.downtoearth.org.in/news/mining/illegal-and-unfair-acquisition-of-mining-land-in-korba-54627>

³⁵ The villages of Tikilipada, Siarmal, Gopalpur, Tumulia, Karlikachhar, Kulda, Bankibahal, Balinga, Garjanbahal, Kiripsira and Japti Jungle (Lalma RF) comes under Ib Block-XI.

³⁶ Director General of Forest (Central) (2021), “Site Inspection Report in Respect of Diversion Proposal of 349.709 ha. Forest Land for Siarmal Open Cast Coal Mining Project of Mahanadi Coalfields Limited”, Government of India, p. 4.

³⁷ Ibid

³⁸ Government of India (1957), “The Coal Bearing Areas (Acquisition and Development) Act, 1957”, p. 3

³⁹ Ibid, p. 5.

⁴⁰ The 15 numbers of sites, viz., Sardega, Jhupurunga, Ratansara, Gopalpur, Tikilipara, Siarmal, Tumulia, Karlikachhar, Kulda, Bankibahal, Balinga, Garjanbahal, Bangurkela, Kiripsira, Lalma R.F.

⁴¹ In the Supreme Court of India Civil Appellate/Inherent Jurisdiction, Miscellaneous Application No. 231 of 2019 in Special Leave Petition (C) No(S). 6933 of 2007, “Mahanadi Coalfields Ltd. & Anr Versus Mathias Oram & Ors”, p. 15.

⁴² Ibid, p. 9.

⁴³ “Mahanadi Coalfields Ltd. & Anr V. Mathias Oram & Ors”, (2010) 11 SCC 269.

⁴⁴ In the Supreme Court of India Civil Appellate/Inherent Jurisdiction, Miscellaneous Application No. 231 of 2019 in Special Leave Petition (C) No(S). 6933 of 2007, “Mahanadi Coalfields Ltd. & Anr Versus Mathias Oram & Ors”, p. 8.

⁴⁵ Ibid, p. 11-12.

⁴⁶ Director General of Forest (Central) (2021), “Site Inspection Report in Respect of Diversion Proposal of 349.709 ha. Forest Land for Siarmal Open Cast Coal Mining Project of Mahanadi Coalfields Limited”, Government of India, p. 4.

⁴⁷ Centre for Integrated, Rural and Tribal Development (CIRTD) & Centre for Policy Research (CPR)-Namati Environmental Justice Program (2018), “Closing the enforcement gap: Ground-truthing of environmental violations in Sundargarh, Odisha”, CPR- Namati Environmental Justice Program, New Delhi, p. 8.

⁴⁸ District Collector, Sundargarh (2020), “Compliance to the Order of Hon’ble Supreme Court of India”, IN M.A No.231/2019 IN SLP No. 6933/2017. IA No.66965/2020 for Clarification/Direction, p. 2.

⁴⁹ Ibid, p.1

⁵⁰ Director General of Forest (Central) (2021), “Site Inspection Report in Respect of Diversion Proposal of 349.709 ha. Forest Land for Siarmal Open Cast Coal Mining Project of Mahanadi Coalfields Limited”, Government of India, p. 4.

⁵¹ Gross Domestic Product (GDP) is the total monetary value of all the goods and services produced inside a nation in a time-period.

⁵² Per capita income is the average of income earned per person in a specific city, region or country in a year.

⁵³ Director General of Forest (Central) (2021), "Site Inspection Report in Respect of Diversion Proposal of 349.709 ha. Forest Land for Siarmal Open Cast Coal Mining Project of Mahanadi Coalfields Limited", Government of India, p. 4.

⁵⁴ Sahu, Sujata. and Kumbhar, Rathi Kanta (2019), "Mining Led Industrialisation and Its Impact on Human Development in Odisha: A critical Analysis of the Role of DMF in the State", RESEARCH REVIEW International Journal of Multidisciplinary, Vol-4, Issue. 08, p.194.

⁵⁵ Mishra, Prajna Paramita (2009), "Coal Mining and Rural Livelihoods: Case of the Ib Valley Coalfield, Orissa", Economic & Political Weekly, Vol. 44, No. 44, p. 121. <https://www.jstor.org/stable/25663741>

⁵⁶ Poor class people are mainly comprised of SC and ST castes.

⁵⁷ 3500 trucks carrying coal from the nearer open cast mines passes through this region daily. Retrieved from: <https://www.downtoearth.org.in/blog/mining/black-paddy-black-lungs-how-coal-mining-has-wrought-havoc-in-odisha-s-sundergarh-81685>

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