LAND & FOREST GOVERNANCE IN SUNDARGARH

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Forests are one of the most important land uses in Odisha with almost 40% of its land categorized as forest. The tenurial status of land under forest have changed and evolved, with the state increasing its control over time. At the same time, vast areas of forests have been converted to non forest use especially after independence. Yet, even 50% land in Odisha can be still categorized as 'forested landscape'. The term forested landscape has been deliberately introduced to emphasize the fact that forested landscape does not include standalone elements as implied in the official discourse on 'forestry' but other forest use like trees, house and swidden lands of tribal. Given that one of the important forms of alternative land use of forest is agriculture, the analysis of interaction between agricultural land and forest tenure becomes essential especially in a highly poverty stricken state like Odisha.

Odisha is one of the poorest states in India, with an estimated 47% of its population living on less than a dollar a day. Further a region and social group wise analysis of poverty in the state highlights the fact that poverty is higher in Scheduled areas then the non-Scheduled Areas and the Scheduled Tribes are the poorest groups in the state.

The Scheduled areas in the state show a high concentration of government land and concomitant large scale landlessness among the tribal. A study conducted by THIRTI in all the tribal sub-plan areas in 1978-80 showed that 22.84% of tribal households are landless whereas 40.46% owned less than 2.5 acres each. Another study by Kumar suggests that approximately 74% of the land in the Scheduled areas of the state is categorized as government land (Kumar et al, 2005). Apparently the skewed land ownership holds key to the poverty in the state in general and tribal in particular.

Interestingly the official discourse on tribal land has been dominated by the issues of alienation of legal land holdings of the tribals by the non tribals. This has often, glossed over the large scale loss of tribal access of land and forests through the process of land categorization, forest reservation and displacement, which have often facilitated by the State itself. The Forest Enquiry Report of 1959 mentioned that 12,000 sq. miles (almost 30,720 sq. km.) of land in Odisha were under shifting cultivation (GoO, 1959). These lands were settled either as forest or revenue land without taking the communal ownership existing over it by the tribals. Most tribes tend to follow a clan based
tenure which provides customary rights in land trees and forest etc. The fact of the non settlement of these land customarily enjoyed by the tribals have a major occupation to their livelihood. Besides the alienation of shifting cultivation land the ineffectiveness of laws to check the transfer of tribal patta (Record of Rights) land to non tribals has led to loss of access to land and criminalization of customary land ownership systems.

Given the above context there has been number of organization and institutions continuously working on such an important issue of natural resource governance in the state of Odisha. But it has been observed that there is no coordinated effort to have a convergence of ideas as to what would be the appropriate strategy to engage with the establishment in a changing scenario.

At this critical juncture Vasundhara's initiative in documenting the history of natural resource governance with special reference to Garjat history and beyond would provide an opportunity to researchers, academics and policy makers to make necessary comparisons between the past and what is going on at present and such a comparison offers any new possibility of reflection and rethinking or not.

I hope, the present "Land and Forest Governance in Sundargarh" as part of "District Profile Series" will throw new lights on the governance of natural resources with special emphasis on the tenural security of Sundargarh which is closely linked to livelihood security of millions of resource dependent poor in the state of Odisha.

Y. Giri Rao
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REFERENCES
GLOSSARY

Rayat : The land owner-cultivator.
Kharposdaris : The system of maintenance of grants or allowances
Debottar : Lands dedicated or appropriated to idols or temples
Brahmottar : Land given free of rent to a Brahmin.
Khamar village : The Ruler and his relatives had Khamar hij-Dakhal and Nij-chas lands in some Khamar villages and they were enjoying those lands free of rent and cess.
IFA1927 : The Indian Forest Act, 1927 was largely based on previous Indian Forest Acts implemented under the British. The most famous one was the Indian Forest Act of 1878. Both the 1878 act and the 1927 one sought to consolidate and reserve the areas having forest cover, or significant wildlife, to regulate movement and transit of forest produce, and duty leviable on timber and other forest produce. It also defines the procedure to be followed for declaring an area to be a Reserved Forest, a Protected Forest or a Village Forest. It defines what is a forest offence, what are the acts prohibited inside a Reserved Forest, and penalties leviable on violation of the provisions of the Act.

Aval. Doyam, Soyam: Types of Land
Sanad : A treaty or agreement. A grant; a charter; a document conveying individual titles, privileges, offices, land.
Sunset Law : The revenue was invariable regardless of the harvest and had to be paid punctually. According to Sunset Law, if payment did not come by sunset of the specified date, the Zamindary is liable to be auctioned.
Gaontia : The village headmen who were responsible to collect revenue of a village for the State.
Gochar : A common village land reserved/used for the purpose of grazing.
Kishtwari : The first stage of preparation of Record of Rights in settlement operations.
Malguzar : Revenue payer. Proprietor directly responsible to the State for the revenue of the land they own
Peshkush : Quit revenue
Podu : Shifting cultivation on hill slopes with burn and slash methods.
Rakhita : A category of land reserved for specific use.
Ryot/ raiyat : The land owner-cultivator.
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SUNDARGARH: A PROFILE

1. A BRIEF HISTORY OF LAND TENURE SYSTEM AND FOREST GOVERNANCE IN SUNDARGARH

Sundargarh district was constituted on the 1st January, 1948 out of the two ex-States of Gangpur and Bonai, which merged with Odisha on that day. True to its name, this “beautiful” district of Sundargarh with about 43% of its total area under forest cover and numerous colorful tribes dotting its landscape and with abundant mining potential is bounded by Ranchi District of Jharkhand on the North, Raigarh district of Chhatisgarh on the west and North-West, Jharsuguda, Sambalpur and Angul District of Odisha on the South and South-East and Singhbhum District of Jharkhand and Keonjhar district of Odisha on the east.

Geographically the district is not a compact unit and consists to widely dissimilar tracts of expansive and fairly open country dotted with tree-clad isolated peaks, vast inaccessible forests, extensive river valleys and mountainous terrain. Broadly speaking, it is an undulating tableland of different elevations broken up by rugged hill ranges and cut up by torrential hill streams and the rivers IB and Brahmani. The general slope of the district is from North to South. Because of this undulating, hilly and sloping nature of landscape, the area is subject to rapid runoff leading not only to soil erosion but also to scarcity of water for both agriculture and drinking purpose.

1.1 Bonai

The state of Bonai has no authentic record from which any information as to its origin or history can be gathered. Legend has it that the founder of the present Raj family, having come from Ceylon founded the state in 1202 A.D. The state from the earliest times consisted of numerous principalities which were more or less independent of one another. At the time of the advent of the Raj family there were five such aboriginal Zamindars four of whom were driven out by the ancestors of the ruling family with the assistance of one Zamindar whose descendants are still in possession of the Zamindari under the state.
1.2 Political Relation

The state continued to remain independent up to the middle of the eighteenth century, when it was overrun by the Bhonsle Marathas and treated by them as a dependency-appertaining to the Sambalpur province which formed part of the dominions of the Maratha Rajas of Nagpur and was liable to pay an annual tribute of Rs. 500/-. In 1803 it was ceded to the British Govt by the Treaty of Deogaon by Raghuji Bhonsle to whom it was restored in a special arrangement in 1806. It reverted to the British govt under the provisional agreement conclude with Madhuji Bhonsle (Appa Sahib) in 1818 and was finally ceded by the treaty of 1826. The state was transferred from the Chottnagpur to the Odisha Division in 1905. Since April 1, 1933 the state is in direct political relation with the Govt of India through the political agent, Odisha states and the Hon'ble Resident for the Eastern States. Its relations with the Govt of India during the year under report were cordial as before. The state makes an annual payment of Rs. 2700/- to the Imperial Govt.
2. GANGPUR

Gangpur formed a part of Dakshina Koshala during ancient times. It did not have any independent status for a long period, but a descendant of the Keshari dynasty of Odisha is said to have brought it under his control when the Kesharis (also known as Somavamsis) were defeated by the Gangas and migrated to this part of western Odisha. The last ruler of this line, Raja Deo Keshari, was murdered apparently because of his oppressive nature and the territory plunged into a state of anarchy. When murderers and rebels oppressed the inhabitants, the Zamindars of Hemgir, Sargipalli and Sarapgarh secured help from some of the neighbouring Rajas and suppressed the rebellion. Later on, they invited (or, as tradition says, stole) one son from the Sikhar family of Sikharbhum and installed him as their Chief (hence the title Sekhar Deo). This new chief Gangdhar Sekhar Deo was especially helped by an influential Bhuyan leader of the territory, the Zamindar of Sargipalli, to subjugate the other Bhuyans. The Raja established his new capital at Gangpurgarh, the extent of his territory being not known definitely. The rulers of Surguja had forced Gangpur to become their feudatory. Later, Balarama Deva (1540-56) of Sambalpur, who married the daughter of the Gangpur Raja, altered the position and made Gangpur free from the authority of Surguja rulers. Gangpur became a friendly feudatory of Sambalpur (Dash:1969). The British transferred Sambalpur and its feudatories like Bonai and Gangpur to the Marathas by 1806, but the latter two were reverted to the British in 1818 in consequence of an agreement reached between the Marathas and the British Government. Under such circumstances, Bonai and Gangpur gained their independent status by 1821 and were no more regarded as feudatories.

2.1 Administration of Land

The first Land Revenue Settlement of the state was done in the year 1879 by Mr. Hewit. Thes survey was made with the indigenous Padika (bamboo pole) and was confined to the wet lands only to the exclusion of all other classes of land and all lands lying within the Zamindary area. In 1935 a Nayabandi settlement was undertaken by N.C. Pattanaik. In 1940-41 another settlement was made in respect of 167 villages tenants of which were agreeable to pay enhanced rent in lieu of Bethi. Again it was abruptly stopped by the order of the political agent who advised to have a regular settlement in 1942. The most important and progressive part of the above settlement are the followings-

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“.......Under the term of the existing settlement the tenants are in enjoyment of occupancy rights over the royati lands they hold. They are allowed to transfer their lands by sale, gift, mortgage or otherwise. But such transfer can only be affected only after obtaining the sanction of the state authorities. The aboriginals and backward communities are specially protected They can transfer their holdings only to men of their class........”

Owing to the scanty population, their aboriginal nature and enormous areas of difficult hill and forest abounding in man eating tigers and elephants, the state has much previous revenue history. There was no extensive cultivation in the past or even a large number of settled villages and the 1912 Gazetteer records that whole village communities frequently abandoned their holdings for new sites. Many of the aboriginal tribes even like the Mundas, the Kols and Orans are quite recent immigrants from the north. 1911 census shows that Mundas were the most populous tribe in the past.

The first regular Survey and Settlement was undertaken in the year 1910 and completed in 1913 but the settlement excluded the areas occupied by the Bhuyans, these not being subjected to survey. The Bhuyan areas seem to have been assessed to a plough tax of Re.1 per plough. The settlement officer here assumed that the uplands and homestead were held free of rent in lieu of Bethi and Begary. A Revisional Settlement was started in 1930 but on account of financial difficulties was not carried to completion and was stopped when the survey of about 250 villages had been completed. But before resuming the settlement operation in rotation, it was found expedient to run the Nayabadi settlement of the entire state as there is a substantial increase of Nayabadi lands during a period of 22 years, so that the state will be in a position to realize rent on all new wet lands so long appropriated by the Gountias of their respective villages.

2.2 Tribal Uprising

The tribals constituted about 65 per cent of the population of the princely state of Gangpur, Odisha in eastern India. The rulers of feudatory states were effectively acting as agents of British imperialism. They tended to demand excessive revenue from their subjects and the king of Gangpur was not an exception. The result was “de peasantization” and “landlessness” among tribals, leading to their discontent. Similar developments were also found in other feudatory states of Odisha.

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1 Under this the royat is bound to accept in cultivating the lands in actual possession of his proprietor and the bhogra land of the Gaontia, to help in the preparation and early repairs of village roads and buildings of his landlord and to do a certain amount of transport work for the chief and officers on tour. In lieu of full wages for this he occupies his uplands and homestead free of rent and is given his food.
Raja Raghunath Sekhar Deo introduced a new Revenue Settlement in 1874 and transferred some villages by auction to the highest bidders who came from the neighboring states. With the influx of Brahmins, Agharias and Telis, there was a change in social structure. Many tribal chiefs lost their earlier privileges. The land revenue policy of the colonial government was another cause of tribal discontent. Starting from the new settlement of the king in 1874, the misery of tenants, poor peasants and agricultural laborers increased. From an amount of Rs.5,200 in 1865, the revenue was increased by Rs. 15,000 along with increased supply of paddy and cereals. The rent paid by fief-holders and gauntias (village chiefs) was not sufficient for the ruler, who was engaged in constructing a magnificent palace. The leases to chiefs was discontinued, then auctioned, and the highest bidders, usually from outside the state, received the lease agreement.

This led to revolt. A tribal gauntia named Madri Kalo rallied some chiefs behind him and rose in rebellion. With assistance of the British government, the revolt was suppressed. Edward Gait, Chief Secretary to government of Bengal reported in 1897 that the Deputy Commissioner of Singhbhum had intervened with an armed police force and that the leaders were arrested. A new settlement was imposed on the cultivators in 1900 after an agreement between the king and gauntias. There was augmentation of rent on all types of land. The increase in land revenue demand further continued in 1911 and 1936. The discontent among tribals, which had been growing since the last decade of the nineteenth century, flared up at this latest increase in land revenue demand. A converted Christian, Nirmal Munda led the aggrieved tribals and demanded a revision of the land settlement. It may have been more than a coincidence that the movement was led by a Christian. In 1870, a Lutheran mission had started its activities in Raiboga and set up a station there, while a German Evangelical mission had opened in Kumukela. The missionary activities played an important role in spreading education among Munda tribals. Thus political consciousness developed. Christianity became an instrument to fight the oppressors and it became the rallying point of the anti-feudal struggle. But we should not overemphasize the importance of religion in the movement as Hindu tribals also joined later.

There was a campaign for refusing to pay any rent to the state under the leadership of Nirmal Munda. Dahijira village became the nerve-centre of the agitation and non-Christian tribal leaders like Bahadur Bhagat and Yakub Gudia joined hands with Nirmal Munda. The administration sought the help of the Church Council of Ranchi to appease the tribals, but the efforts of the
delegation proved futile. A petition was submitted to the queen Regent Janaki Rathnaya Amarjee at a meeting held at Sargipali on February 9, 1939. About 5,000 people from 30 villages articulated their anti-establishment feeling by demanding free transfer of land, establishment of a co-operative credit society, freedom to sell lac, silk, wax etc., and abolition of forcible contribution in cash or kind and an end to the belti (forced labor) system. The nonchalant attitude of the queen gave a fillip to the no-rent campaign, and the Mundas refused to pay revenue dues. Following a carrot and stick policy, the administration issued arrest warrants. The situation was viewed seriously by the colonial government. On April 25, 1939, about 80 tribals had gathered around the village Simko facing the house of Nirmal Munda. The attempt to arrest him led to a police firing, in which 28 tribals were killed, according to the official report.

After the arrest of the leaders, the movement collapsed. But the Prajamandal Movement was organized in Gangpur in 1946, and the state merged with Odisha two years afterwards. The tribal society had experienced internal social differentiation, but it had also experienced external pressure due to diminution of forest land, increase in land revenue demand, influx of outsiders and the oppressive policy of the king. The failure of the tribal revolt did not lessen its historical importance, for it generated dynamism in the tribal society because of its reaction to the changing situation.
CHAPTER-II

3 LAND TENURE AND HISTORY OF REVENUE ADMINISTRATION IN BONEI AND GANGPUR

3.1 Bonei

After it was ceded to the British Govt in 1803 by the treaty of Deogaon, till 1905 Bonai was under the control of Commissioner of Chotnagpur and finally included in the group of Odisha Feudatory States. The Gazettier of Sundergarh states that considerable portions of land were occupied by the tribes among whom Bhuyans, Gonds, Mundas and Hos were prominent. Mr. Cobden Ramsay in his Gazetteer records. “Land is plentiful and whole village communities frequently abandon their holdings for new sites and in consequence the individual is careless of his rights in the land”.

3.1.1 Hewitt Settlement 1880

This settlement was extremely restricted in scope and only a small area of wet lands was settled and no Zamindary lands were assessed.

3.1.2 First Regular Survey & Settlement 1910-13

This settlement excluded areas occupied by the Bhuyans where 272 villages were surveyed out of which 157 villages were summarily settled. The waste lands do not appear to have been properly surveyed even in the valley of Brahmani. As stated in the 1910-13 Settlement Report, land tenures were few and the laws governing them were simple. (a) Tenures with limited proprietary rights: the Zamindary, Gond Jagirs and revenue free holdings. (b) tenure of village headman and holdings of village and other servants (c) tenures with rights of occupancy; the rayati holdings.

Subsequently a Nayabadi Settlement was undertaken as there was a substantial increase of Nayabadi lands during the last 22 years. Then in 1940-41 a regular settlement was made for 167 bethi commuted villages.

3.2 Gangpur

The previous history of ex-state of Gangpur indicates that the village and revenue management including the terms like Gaontia, etc bear strong resemblance to the Sambalpur and Central provinces systems. In this connection, Sir. W. Hunter in his statistical account of the Chota Nagpur states writes: “villages in Gangpur are held either on feudal tenure or on farming lease.
The feudal tenure dates back to the early times, when the vassals of the chief received grants of land in consideration of rendering military services and making certain payments in kind. The total area of the Gangpur state as reported in the last settlement is 2,492 Sq. Miles but 602 Sq. Miles is covered by reserved forest and they are not available for cultivation. The total area of the whole state included within village boundaries is 1209461.64 acres of which 628155.35 acres are occupied and 581306.29 acres are unoccupied.

In the Gaonti system villages in the state are classified as Kut and akut villages. The kut villages are those where a rough estimate by the eye has been made of the cultivated lands, and are practically entirely held by the Gaontias. The akut villages are those where no eye measurement has been made and the head of these villages are Ganjhu.

The earliest record available of the past revenue administration consists of a Jamanbabdi prepared in 1865. The Jamanbandi merely indicates the rent, cesses payable by each village and there are no details to show how these rent totals were arrived at or how the rent payable was distributed amongst the raiyats. The Gazettier of Sundergarh states that “this system of settlement was capable of abuse and there is very little doubt that advantage was taken of it by the headmen to enrich themselves at the costs of the raiyat.” Later on, Raghunath Sekhar Deo introduced the Nazar Kut Settlement in some villages in 1874. Even if it was a defective one it helped to raise the revenue. While the revenue of the state, according to the Jamanbandi prepared by Girija Sekhar Deo in 1865 was Rs. 5200/- in Nazar kut settlement was increased to Rs. 15000/-. 

The first regular survey and settlement of Gangpur commenced in 1907 and was completed in 1911. The total revenue of Khalsa and Gaonti villages was brought to Rs. 76, 904/- in 1911. In this settlement for the first time the rights of Gaontias and raiyats were recorded in the record of rights. It was recognised that a raiyat could not be ejected except by the order of the court and then only for non-payment of rent.

4. GAONTIAS & GANJHU

The Gauntia was responsible for the revenue and the cesses. He had to pay Salami to the ruling chief or the Zamindar equivalent to one year’s rent of his village once during the current settlement after 5 years from the date of the Patta, and thereafter a salami for every fresh period of settlement. He had no right to lease out his village. With the consent of the ruling chief he could let
out waste lands. The headmen of the tribal villages in the Zamindaris were known as Ganjhus and the groups of Ganjhu villages were under a head Ganjhu. In the tribal Zamindary area the Ganjhus were probably the descendants of the original clearer of the soil.

The operations of revision settlement commenced in Oct.1928 and were completed in 1936. The main feature of this settlement was that the whole state was surveyed and all land assessed. As stated in this settlement report there were ten tenures in Gangpur (1) Zamindary (2) kharposh (3) Parganadara (4) Debottar (5) Brahmoottar (6)Noukaran (service tenure) (7) Head Ganjuhani (8) Ganjuhani (9) Ganotihai (10) Sikmi Gaontihai. There were four Zamindaries i.e Nagra (524 sq.miles or 1357sq.km), Hemgir(392 sq.miles or 1015.28 sq km) Sargipali (48sq Miles or 124.32 sq km) and Sarapgarh (44sq miles or 113.96sq km) The Zamindar was the proprietor of his estate which was impartible and non-transferable save to the nearest heir. The first son inherited the tenure, while the other sons got Kharposh. No Sanand had been issued by the state to the Zamindars and thus there was no clear definition of their rights. It would appear that the four Zamindaries first mentioned were very long standing and the Zamindars at one time must have exercised, what were for all practical purposes sovereign powers.

The Zamindars had been unwilling to accept a Sanand as this would mean a definition of right and a possible curtailment. The Zamindars had no control of allotment and exploitation, and were only entitled to six annas (37 ½) per rupee of the income. The takoli which they paid was a nominal amount and seemed to have been fixed many years ago.

4.1 Ganjuhai Tenure

Village headmen in the Munda area of Gangpur were called Ganjhus. The Ganjhus were divided into two classes namely the Khuntkatti Ganjhus and Thikka Ganjhus. The Khuntkatti Ganjhus were the original clearer of villages while the others are not. He collected rents and paid them to the treasury and by way of remuneration was allowed to enjoy the whole bhogra, whatever might be its area, free of rent. Mr. Conolly writes in his settlement report(1907-11) about the Ganjhus in the following terms:

...“ They may broadly be divided into two groups; the ganjhus who have groups of villages and who have sub- Ganjhus under them and the Ganjhus of individual villages. It seems fairly certain that they were relatives of the old Bhuyan chiefs and their grants were probably in the nature of feudal tenures given at a time when the country was unsettled and their services were requisitioned to protect the territories of the chief from invasion”....
Mr. R.K Ramdhyan who enquired during 1941-42 into the land tenures and revenue systems prevalent in the feudatory states writes on the rayoti tenure as follows.

...... “The rights of royats in land are at present in a somewhat confused position. The right of occupancy which meant that so long as rent was paid the royat was entitled to remain in possession was recognised at settlement but noright of transfer of any kind was conceded.”

4.2 Rent Settlement

The ex state was divided into three groups for purpose assessment i.e (1) Hatibari (2) Nagara (3 Khalsa, Hemgir, Sargipali and Sarapgarh forming one group. These group of villages again divided in to five classes of villages. At the 1929-36 settlement rents were assessed at a uniform rate throughout the ex-state except Nagra Zamindary and Hatibari Kharposh.

4.3 Land Revenue

The ex state Zamindars did not receive all the rent paid by Raiyats, a proportion being retained by the Gaontias or other sub-ordinate tenure holders as their commission. There were a few villages dedicated to temples or deities (Debottar), gifted to Brahmins (Brahmottar), given for the maintenance of the members of Raj family (Kharpsh and in service tenure (Naoukaran). The holders appropriated the entire rent. In Khamar villages held direct, the ex state or the landlords received the entire rent paid by the raiyats.

5. LAND AND FOREST ADMINISTRATION IN BONEI

In Bonai, the only Zamindar was a Bhuyan chief known as the 'Samant' of Kaleiposh. According to tradition, in ancient past there were five or six chieftains in the State, all belonging to the lower caste and the Samant was one of them. When a migrant Rajput came to Bonai and tried to establish his control there, the Samant rendered him necessary assistance and with the help of the latter, the Rajput got all his adversaries killed and was then recognized as the Raja of the country by the Samant. Thus, the Raja-Samant relationship had been very important in the history of Bonai and as per the custom, during the coronation ceremony of a royal successor, formal recognition of the Samant had been almost necessary. The Samant had 27 villages under his tenure15 and paid a nominal tribute to the Raja.
In the 19th century, this relationship came under serious tension because of various reasons. In 1861, the Raja raised the Samant's tribute, which the latter refused to pay. A settlement was ultimately reached between the two by British intervention. In 1875, the Raja asked him to pay a marriage cess of Rs. 100; the Samant refused it saying that no such cess had ever been paid by his family. The Raja had various allegations against the Samant and had him jailed. There were two Gond fiefs in the State known (later) as the Jagirdars with a rank below that of the Samant and each holding 13 villages. The Samant was to render military service to the Raja while the Gond fiefs were granted their tenure on the conditions of paying half the net land revenue of their villages and also of rendering police service. When the Raja found them very lax in performance of their duties, he took steps to appoint a regular police force and to resettle the tribute paid by the Gond fiefs.

In the settlement of 1880-81 by Mr. Hewitt, the rent of the Gond fiefs was increased and also a police cess was imposed. Another feature of this settlement was that while the Raja could not claim any rent on the jungles in the area of the fiefs, the fiefs were also not allowed to sell any of their timber. But neither of the parties was satisfied with this settlement. The Raja claimed his rights over the jungle lands and also demanded dues to tassar cultivation and for the excise above the stipulated rent, while the Gond fiefs paid no rent at all for some time. When they did not yield despite all the efforts, the Raja ejected the Jagirdars following an order of the Commissioner of Chot Nagpur and taking undue advantage of this order, resorted to very harsh and oppressive measures to enforce his claims.

This was the background of the disturbances in Bonai and the Samant and the Gond fiefs had their own phases in these disturbances. Interestingly enough, while the Gonds were against the Samant during the Bhuyan disturbances, the Bhuyans helped the Raja during the Gond disturbances (of the nature of plundering etc). It may be noted here that the tenure of the Gond fiefs was of the nature of service tenure only which was why they had a lower rank than the Samant. However, the disturbances subsided when it was known that a British officer would visit Bonai to investigate the matter.

The Gonds submitted to the following effect, a petition to the Commissioner of Chot Nagpur Division:

1. We are the ancient Zamindars of Bonai, but the Raja has treated us as ticcadars and has ousted
us from our zamindari. We request that the title of zamindar may be given us as before.

2. We have planted date trees and the Raja now demands rent for them, which we have never paid before. We pray that we may be exempted from this demand.

3. The Raja has no right to the collections made by us on account of cesses from cattle-grazers, potters xxx.

4. If excessive dues are demanded for the cultivation of cocoons in our purgunnah, it is likely that this cultivation will be entirely stopped.

5. The Raja has been in the habit of taking fees from us whenever we had occasion to hunt in our jungles, in default he used to realize a fine of Rs. 5/- from us. We pray that this custom may be abolished”. Besides, the petitioners also requested the Commissioner to maintain the land grants they had made in the name of the deities.

Accordingly, the Commissioner made the following settlement:

1. The Gond fiefs were recommended to be called as Jagirdars.

2. As the Samant and the Raja had no right to excise in the Samant's area, so should be in the Gond chiefs' area. The Gond chiefs agreed to pay certain annual fee to the Raja to take over to the Tari31 Mahal.

3. Grazing dues were equally apportioned between the Raja and the Samant/Gond fiefs in the jurisdiction of the latter.

4. The Raja agreed to forego all fines and fees for hunting in the jungles.

5. While the Raja claimed of having collected cess on cocoons in the Samant’s area before, the Samant denied this. However, it was finally agreed that the Raja might continue to levy this cess, but not at higher rates.

Regarding settlement of jungle rights, the Samant and the Gond chiefs appeared 'to have very uncertain ideas as to the precise nature of their claims in this respect'. The Samant first claimed the entire proprietary right in the jungles and was not prepared to leave the Raja anything on the ground that the Samants were the original settlers, antecedent to the creation of the Raja. The
Gonds also asserted a similar right. It was at last decided that these fiefs would pay a royalty of half the sale of timber in their respective areas to the Raja and would follow the rules prescribed for the preservation of forests in Bonai. The Bonai forest rules recognized the following rights of the three tribal fiefs besides what has been discussed before:

1. They were not entitled to give leases.
2. They had no claim on the hides, horns and minerals found in their area.
3. They had no rights to grant any permission to use forest produce either to their ryots or to any one else without the previous sanction of the State authorities. But they had right to such produce for their own use only.
4. They were exempted from grazing duties for their own cattle only.
5. They had to bear half the cost of forest management in their illaka.
6. They and their brothers / sons were allowed to shoot in their illaka, but they had no right to allow anybody else to shoot.
7. Ryots of Khalsa in the habit of getting wood or grass in the nearest Zamindary forests were allowed to continue to do so and the ryots of Zamindary illakas in habit of getting it from nearby Khalsa forests were also allowed to exercise their right as before provided the reserves were not to be exploited.

5.1 Land Tenure

The Sawant the recognized head of the Bhuyans was the only Zamindar. A small Zamindary in the south of the state on the east bank of Brahmani consisting of 27 villages which he held on a hereditary feudal tenure.

5.2 Bethi

Under bethi a system of free labour the raiyat was bound to assist in cultivating the land in actual possession of his proprietor and the bhogra lands of the Gaontias to help in the construction and repairs of the village roads and the buildings of his landlord and to carry the luggage of the chief
or officers on tour. In lieu of full wages for this he used to occupy uplands and homestead land free of rent and was given his food or its value in cash.

5.3 Settlement Of 1910-13

In this first regular survey and settlement areas occupied by the Bhuyans were not subjected to survey. Only 272 villages surveyed and settled. In the Bhuyan villages a plough tax of Rs.1/- per plough was introduced. This settlement was made for a term of 10 years but subsequently extended for another 10 years that is a revisional settlement fell due in 1933. So revisional settlement was started in 1930 but somehow stopped abruptly due to financial deadlock. Nayabandi settlement was taken up in 1934 with the aim of creating a record of land rights without enhancing the existing rates of rent. When this Nayabandi was in progress, the tenants of 167 villages filed petitions to exempt them from bethi (free labour) in lieu of an enhanced rate of rent. Accordingly in 1940-41 a regular settlement was made for those villages and final publication was made with regard to 129 villages.
5.4 Tenancy Laws and issues of land Settlement

In absence of any codified revenue laws in both the ex states of Gangpur and Bonei the role played by Ganjhu or Gauntia in the entire gamut of revenue administration was very significant since they were the intermediaries between the state and the Raiyat in the matter of revenue administration. They were granted Pattas in which the rights and duties of Gauntias were briefly laid down. In Gangpur the primary requisites of sound revenue administration were missing and whatever existed was in an utter chaos and confusion.

There was no Tenancy Laws in Sundergarh district and the terms and condition enumerated in the Gauntia Patta1913 mainly governed the tenancy right. But after the merger of state took place in 1948 the abolition of intermediary's interst and village officers paved the way for the enactment of the Odisha Estate Abolition act and Odisha Officers of Village police (abolition) Act. 1954. The permanent necessity of agrarian reform brought the Land Reforms Act.1960. Gangpur ex-state merged with Odisha on 01.01.1948. Among other related enactment the Odisha Merged States Law act.1950 created space for the rayati rights of the erstwhile tenants of ex-states and they were brought at par with the tenants of other areas of the state. They enjoyed all rights of an occupancy tenant including right of transfer of their holdings (subject to restrictions effecting tribals) Hereafter even a sukhbasi was also made entitled to the rights of an occupancy tenant over his homestead. According to the press note no- 89 of 13.04.1961 orders were issued for the abolition of gauntia system in the district of Sundergarh including Bonai Sub-division.
5.5 Bhogra Land

After the abolition of gaunti system the Gauntis were given space to surrender their rights in exchange of getting Bhogra land. So Bhogra land in actual possession by the Gauntias were allotted to them as on 01.07.1960. A fraction of the same land was also given away to the Gram Sabha. The Odisha Village Police (Abolition) Act, 1964 came in to force in Sundargarh district with effect from 01.07.1965. By this the land held by Chaukidars, Jhankars and Kalo vested to the state. Only the Kalo or the Jhankars hold the 50% of the jagir land with adequate land revenue and a certain fraction of the same was given to the Gram Sasan under whose limits the said land is situated.

5.6 Tenures

The Rajas of Gangpur had recognised following special tenures:
1. Zamindary
2. Khorposh
3. Parganadari
4. Bhrahmottar; Devottar and service jagir (Naukaran)
5. Ganjuani and Gauntiahni

There were four Zamindaris in the State viz., Nagra, Hemgir, Sargipalli and Sarapgarh. Nagra, the largest Zamindary, is said to have some kind of independent status during ancient period. The name is connected to its ruling dynasty, the Nagas. The Kesharis defeated the Nagas and the headquarter of Nagra was established at Jamseragarh (near Rourkela). It is said that when the last Keshari ruler of Nagra died issue less, the territory remained under a kind of autonomous administration by 12 leading personalities for 60 years. Later the Council decided to sale the territory to the princess of Kenjarigarh (Kinjir or Hatibari). The princess married the prince of Gangpur and Nagra was given to the latter in dowry. The princess had recognised one Lal Mohapatra as the holder of Nagra Estate on the condition of certain tribute and the descendants of Mohapatra were recognised as the Zamindars of Nagra. The ancestor of the Zamindars of Hemgir is said to have received the territory as a grant from the ruler of Gangpur (or Sambalpur) to act as buffer to his State and to help in repelling invaders. The other two Zamindars were once very powerful; probably they were the tribal chieftains of their area and were later recognized as Zamindars. The Zamindars were paying certain tribute to the Raja and rendered military service etc. to him. But the advent of railways saw degradation in their relationship. The British
Government had entered into an agreement with the Rajas to the following effect for the purpose of extending the railway line through their States:

1. Land to be given free of charge and rent (including Zamindary area).
2. No duties to be levied on materials purchased from private individuals within the native States.
3. No duty to be levied upon articles 'which may be required for the construction or maintenance of the line or for the railway purposes, neither shall it levy duties on any articles conveyed by the Railway while they are in transit on the line'.

The agreement was applicable for Gangpur also. But it never said that the States / Zamindaris were bound to supply timber free of charge. The line was passing through Nagra and Hemgir Zamindaries. The Zamindar of Nagra claimed compensation from the Railway for the trees cut down in his area and received it. But the Raja said the amount actually belonged to him and even claimed (in his letter dated 26-7-1890) that the Zamindar of Nagra had agreed to pay him the money received as compensation.

On the other hand, the contractors employed by Railway cut down timbers etc. wherever they pleased without listening to the complaints made by the Raja or Zamindars and without any settlement of prices. All this raised the issue of forest rights of the Zamindars seriously and constant friction continued between the Raja, the Zamindars and the Railways. The Raja claimed exclusive forest rights in the Zamindaries and filed a petition. But his claim was rejected by the British Government on three major grounds:

1. During 1882-83, when Mr. Hewitt made his settlement of Gangpur and framed the forest rules in consultation with the Raja, the Zamindars, village headmen and the ryots; he provided that the zamindars and maintenance holders of Gangpur would "make similar arrangements for their own jungles xxx". Thus, at that time also the right of these tenure-holders over their jungles was recognised by all even if indirectly or ignorantly (for the timber had not assumed any remarkable value at that time).
2. The Commissioner of Chot Nagpur expressed his favor for the Zamindars as follows: “the amount of cultivation is so extremely small that if the Zamindars have no jungle rights, I cannot conceive from what source they are to get any income from their estates”.
3. The Raja did not point to any instance in which he had exercised the right of felling and selling timber to the exclusion of the Zamindars.

Hence, the Zamindars obtained full rights over their forests. There were five sub-Zamindars in Nagra (e.g. the Pradhan of Jaraikala, the Naib of Bhalulata etc.) and they were granted pattas by the
Raja himself, not by the Nagra Zamindar. But they had no forest rights.

The Khorposhdars of Hatibari and Birbira etc. were also having forest rights, but not for the sale of their timber. After expiry of the Khorposhdar of Birbira, the forests within his Khorposh were reverted to the State and came under the management of the State forest department. The Parganadar of Raiboga enjoyed absolute forest rights like the zamindars. The village headmen in the Khalsa and Zamindary tribal areas, known as Gauntiahs and Ganjus respectively, did not have any forest rights. There was some dispute between the zamindar of Nagra and the Ganjus under him regarding forest rights and one of the Ganjus cut and sold every species of tree including Mohwa in defiance of the Zamindar’s protest.

5.7  Debottar

In Debottar villages, no forest rights were recognised but the collection from reclamation was being realised by the establishment which was managed by the Darbar. No cesses were paid by the establishment to the States, but the ryots, who had rights similar to that of their counterparts in other villages, were paying the cesses to the establishment (Ramdhyan:1947). Total number of Debottar village was 8 in Khalsa, 5 in Nagra, and 3 in Hemgir.

5.8  Brahmodtattar

The Brahmodtattars paid no rent or cess to the State, but realized Nistar cess from their tenants. However, the ryots got no return in lieu of this payment. The Brahmodtattars enjoyed free rights in their village forests and wastelands therein could be reclaimed without permission from the State (Ramdhyan:1947). Total number of such villages was 2 in Khalsa, 7 in Nagra and 2 in Hatibari. Sargipalli and Sarapgarh Zamindaries did not have any Debottar or Brahmodtattar tenures. The Zamindary forests of Hemgir did not come under the Government control at a time because of some disputes regarding compensation etc. From 5.5.1950 to 18.12.1951, these forests remained under Government management which was later discontinued. Between 18.12.1952 to 31.5.1953, both parties restrained in respect of collection. Government took possession of the Zamindary on 4-3-1963 (the date of vesting being 15-6-1957) and Hemgir forest department was transferred to the control of the DFO, Sundargarh on 1st December 1964.
CHAPTER-III

HISTORY OF FOREST ADMINISTRATION

It seems that foundation for a systematic management of forests in the Gangpur ex-State was laid during the settlement of Mr. Hewitt, the then Divisional Commissioner of Chota Nagpur, in 1882-83. Though the details of this settlement are not known, a study of the proposed rules for Gangpur found in the British records of 1892 reveals that Mr. Hewitt’s arrangements must have been a very simple one. The proposed rules contained the following provisions:

1. Restriction on the felling of certain species.
2. In each village, if the jungle was large, part of it should be RF and part URF.
3. Ryots of Khalsa bordering zamindaris but not having jungles for their domestic use could get their requirements from the neighboring jungles of Zamindaries and vice versa.
4. Unreserves should be selected as near as possible to villages and RFs as far away as possible.
5. To declare reserves/ unreserves, the Raja should consult village headmen, etc.
6. No ryot or Gauntia could sell any tree, bamboo or grass to any one without the permission of the Raja. (etc)

The Raja opened his forests for sleeper operations and granted regular leases for a term of years on specified terms, but little or no provision was made for the proper management of forests by limiting the number of trees should be cut. The wholesale tapping of Sal trees for resin is also believed to have commenced about this time (1890-1900)161. As a result, by 1907, the forests were recklessly exploited on all sides162. Political Agent Mr. Cobden - Ramsay who visited Gangpur some time before 1907, has described the attitude of the Raja in his report as follows: “The Raja informed me that at present he does practically nothing to reserve any area as forest. Here and there, he says he has reserved a small area but hopes at the time of coming settlement to set aside definite areas as reserved forests. At present he does not appear to have gone in into the question and considered what areas should be reserved and what are his actual rights to do so as against the villagers; the question is one not free from difficulty. The Raja informed me that ringing of trees for resin (dhona) had been forbidden”. Then the settlement of 1907-11 began and the forests, which had been reserved by the Chief at the beginning of the survey operations, were later found
to be useless, in most cases, for the purpose of reservation and were therefore turned into Khesra164. However, at the advice of MR. A.N. Grieve, the Agency Forest Officer from 1911- 15, a policy was followed for closing the overworked forests strictly so as to give them some opportunity to recover from the abuse they had been subjected. Arrangements for fire protection had been made since 1908. In 1920, the Gangpur Forest Rules were published under the direction of the then AFO. The next milestone was reservation of certain blocks for the sake of tenants. The work began after 1926 and by 1930, 39 blocks of B-class reserves had been created.

There were plenty of Kusum and Ghant trees in the State, but owing to the defective lease, no seed of Lac was virtually left by the lessee. To propagate and develop Lac production, liberal loans and seed Lac were given to ryots in the 1920s and other facilities were also granted to them. The result of this encouraging attempt was excellent. The exaction of forest underlings had been so great that since the settlement of 1907-11, the sugarcane cultivation had gone down in the State Khalsa for want of fencing materials. In 1934, the Superintendent of Gangpur State took personal interest to get the cultivators free supply of such materials as a result of which sugarcane cultivation increased considerably.

The Gangpur state had 6 Zamindary namely Nagra, Hathibari, Raiboga, Sargipally, Sarapgarh and Hemgiri. The forests were being managed by the respective Zamindaries and they were contributing the surplus revenue to Gangpur state after meeting the expenses on management. The Khalsa portion was directly under the management of Raja of Gangpur. Gangpur state merged with Odisha Province on 01.01.1948 but the Zamindaries were taken over under the provision of Odisha Estate Abolition Act-1952 which again took long period to be finally come under the govt control which means the Divisional Forest Officer.

6. GANGPUR KHALSA FORESTS

The forests dealt with in this plan are the reserved and demarcated protected (formerly called Khasra) forests of Gangpur state of Khalsa, which is surrounded on the east by Nagra Zamindary on the North, by Ranchi district, on the north west by Jashpur state, on the west by Raigarh state and Sarapgarh and Hemgir Zamindaries of this state and on the south by Sambalpur district and also by Bamra and Bonei feudatory states of Odisha.

The total area of the reserved blocks is calculated to be 1,65,933 acres out of which about 2000 acres
of Kurai block (total area 8240 acres) have been allowed to the Zamindar of Sargipalli, but no partition line has yet been made and hence the net area of the reserved forests would actually come to 1,63,933 acres. The area of protected blocks is 42,085 acres.

Out of the total area of 1491.33 square miles of state khalsa the total forest area is 325 Sq. Miles of which 259Sq. Miles are reserved forests and 66Sq.miles are protected forests. Therefore the area of reserved and protected forests amounts to 21.8% of the area of the state.

6.1 Right and Concessions

No sort of right has been granted in the reserved forests, though in a few cases the residents of a few villages situated within or bordering on the reserved forest are at times allowed to collect edible fruits, roots, myrobalans, etc as a concession. In the protected forests the bonafide residents of this state are allowed to extract timber of unprohibited species and firewood for their personal bonafide use but not for sale or barter.

The raiyats of this state holding settlement Parcha for arable lands are allowed free timber of reserved species for ploughs etc, after being marked by the forest staff, for a village as a whole and the Gaontias and member raiyats distribute those marked trees proportionately amongst all the raiyats of that village.

The state is the direct owner of all the reserve forests with the exception of Dandapat Reserve: with this exception and that of Khandadhar Reserve the forests were declared reserved during the years 1912-14 following on the revenue settlement operations of 1910. Dandapat Reserve lies in the estate of that name and the forest are managed by the state forest dept, the estate paying an annual contribution of Rs.180/- towards the allowance of the forest officer and the maintenance of a forest guard, while the income derived from the forest is shared equally by the State and the Dandapat estate.

The reserved forests comprise a total area of 527.1 Square miles. There are about 280 square miles of un-demarcated Khesra forest in the state. The Khandadhar reserve was declared reserved in the year 1928.
6.2 Zamindary Forests

The Zamindary forests were managed by their own staff. However, the promulgation of Gangpur State Forest Act of 1946 placed these forests under the control of the Darbar while maintaining the Zamindars' right to the revenue. In Nagra, demarcated forests had been reserved prior to the settlement of 1911. Ramsay reported that Lac cultivation in this Estate was virtually killed when the Zamindar imposed tax of Re. 1 per tree. However, his successor tried to revive it by reducing the tax by 50 to 75 percent. In Hatibari, the proprietor worked his forests himself and paid the contractor for cutting sleepers at 0-8-066 per sleeper on the condition that the tree to be cut should produce at least two sleepers. The benefit of this condition however could not be available to the forests much as the contractor, instead of selecting trees of a girth suitable for the standard size of two sleepers, gave more importance to the fact that the number of sleepers to be produced per tree should be maintained irrespective of the standard size and as a result, remarked Ramsay, many such so-called sleepers were actually fit for only door jambs and not for even light railway.

But the most significant achievement was in the Hemgir Zamindary. Prior to 1913, there was no semblance of forest conservancy in this Estate although some rules had been made to govern the disposal of forest produce. Before the introduction of such rules, tenants were paying the plough tax in lieu of their requirements and outsiders had been permitted to remove and export as much timber they liked on payment of three maunds of rice to the Zamindar. And the forests had suffered considerably because of economic exploitation, shifting cultivation and other factors. The selection and demarcation of the reserved forests was taken up sometime by 191067. When MR. Grieve visited the Estate in 1913, he advised the Zamindar to take strict measures to save the over-exploited forests. He advocated a policy of strict closure to felling of all green trees and drew up a scheme for the felling of bamboo on a 3-year cycle.

Not only the suggestions of Mr. Grieve, but those of his successors were sincerely followed as a result of which Hemgir was able to maintain and improve its forests to such an extent that it virtually achieved a district position and glory vis a vis its forests. The sincerity of the Hemgir zamindars is evident from the following remarks of Mr. H.F. Mooney who visited the area in 1941: “I am particularly pleased to report that vigorous action has been taken up by the Zamindar on my last report”.

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6.3 Forest Area and Classification

The forests were classified as 'A' class reserves, 'B' class reserves (DPF) and Khesra. According to the Settlement Report of 1929-36, the area of forests in Khalsa was as follows:

Reserved forest: 165933 acres

Protected Forest: 42085 acres (including 1150 acres of Birbira Khorposh). A more recent picture is available from the working plan for 1925-45 as shown in the following table.

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>AREA IN Sq. MILES</th>
<th>AREA OF RESERVE FOREST</th>
<th>PERCENTAGE IN Sq. MILES</th>
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</thead>
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<td>272</td>
<td>21</td>
</tr>
<tr>
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<td>45</td>
<td>21</td>
<td>47</td>
</tr>
<tr>
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</tr>
<tr>
<td>Raibaga</td>
<td>27</td>
<td>4</td>
<td>15</td>
</tr>
</tbody>
</table>

6.4 Scientific Management

The forests were managed as per working plans. The first working plan was effective from 1925-26. The forests of Hatibari, Nagra and Hemgir were also having working plans for them.
6.5 Shifting Cultivation

The Paudi and Dhanuars were allowed to practice shifting cultivation in the unreserved, but were not allowed to fell the reserved species, as per the proposed rules of late 19th century. However, it is said that they were required in Hemgir Zamindary at least to plant trees in specified areas.

6.6 Plantation

No regular plantation work was prescribed in the 1925 working plan. Between 1935 and 1940, some experimental work was done with Tung tree, but the results being not encouraging, the project was dropped. However, a Sissoo plantation had been tried at Chirubeda and there were some teak plantations in Hemgir at Bileimunda, Tumlia & Gopalpur etc.

About 105 mining companies, spread over an area of 33,000 hectares, have already set up base here, excavating 2.4 lakh tonnes of ore daily. “Inspite of being a Fifth Schedule area and 90% dominated by tribal communities, the provisions of the Panchayat Act Extension to Scheduled Areas for transfer of land have been completely violated,” says Sudhanshu Panda, a local lawyer and activist who has filed several cases against the Odisha Mining Corporation and other companies, challenging the transfer of tribal land to industries for mining purposes. This is the status of Joda block. Banspal block is heading for the same fate, considering that eight mining companies are vying for the iron ore in the Gandhamardhan hill range. These companies, Posco among them, have applied for prospecting licences or direct leases for mining. The Gandhamardhan and Malangtoli areas are covered with dense forests sheltering a wide variety of wildlife and flora. The tribal communities, which form 74% of the population in the surrounding area, are totally dependent on these forests for fuel, fodder, fruits and medicinal plants. The water springs here provide water for drinking as well as irrigation.

7. SOME OF THE IMPORTANT FACTORS OF LAND ALIENATION

Sundergarh received streams of migrants when it was identified as the best site for industrialization. After eighties it became the centre for large scale industrialization which resulted in the influx of population from outside. Its destiny was fixed due to its rich mineral resources. Such an extraordinary character of the land helped the govt to select it as site for major industries even with the foreign collaboration. It leads to a new scenario and life for the
inhabitants including the non-tribals. The RSP and some other allied industries attracted people and large plots of land were acquired. This resulted in the alienation of the tribal people from their land.

Industrialization also led to rapid urbanization. The consequences get reflected from the existence of a number of urban centres of different categories in this region. A large number of migrants came to these urban centres in search of their livelihood. These migrants in course of time settled down in this area. This resulted in the rapid alienation of land of the tribals.

7.1 Rights and Concessions

No rights are admitted in the reserved forests. Some concessions are given to the aboriginal tribes living in the villages adjacent to or surrounded by the reserve. They are allowed to collect free of charge for their own consumption such minor forest produce as edible roots, fruits, flowers, leaves and grass.

In Khesra forests bonafide residents of the state are permitted free of cost to extract timber of unreserved species and fuel for their own domestic consumption and they are sold timber of reserved species at confessional rates. In such forests grazing is free, while in the reserved forests free permits are issued for grazing of plough cattle up to ten in number to cultivating tenants: for cattle in excess of this number fees are charged at the prescribed rate. Professional graziers and non-cultivators pay fees for all cattle grazing in reserved forest.

Among the aboriginal classes, the Bhuyans of koira and Pabri parganas are allowed to continue shifting cultivation in Khesra forests. As this involves the destruction of some of the best forests in the state and a terrible waste of timber the sal trees of a size suitable for sleeper conversion have been exploited as rapidly as proper supervision and economic conversion would allow, before the Bhuyans got a chance destroying them first.

7.2 Sundergarh Working Plan 1979-99

The history of forest management started in Gangpur Khalsa in the year 9111. Separate arrangements were made for the administration of the forests in Zamindaries. Uptill then there was no form of forest management and the only revenue was obtained from the Nistar cess and a
small sum realised from villagers as royalty for wood used in house construction. About this time a land revenue settlement was in progress. Several blocks were declared as reserve forests which had been reserved in name some years previously by the Maharaja and further forests were reserved.

The total land area of the division is 3372 Sq.miles out of which 522Sq.miles are reserve forests. Thus the reserve forest constitutes only 22% of the total land area which is much less than the minimum area under forest to be maintained as per the National Forest Policy. Sindergarh is a highly industrialised district with already many big size industrial complexes. Besides there are many working mines of some basic industrial raw materials like limestone near and around Biramitrapur, Lanjiberma fire clay near Kiripsara and inside and outside Lamkani R.F. The vast expanse reserve of lead deposits in Sargipali, Ujjalpur and lephripara zone and other important major mineral deposits are found in the district.
CHAPTER-IV

ROURKELA STEEL PLANT

8. NEW FACE OF DEVELOPMENT IN POST INDEPENDENT ODISHA: DEBATES AROUND IT

8.1 Rourkela - The Steel City

Rourkela Steel Plant is one of the pioneers of the dream project initiated by the efforts of late Shri Jawaharlal Nehru, the first Prime Minister of India. This plant along with few other plants set up in the Public Sector, paved the way for industrialization in the Independent India almost before about five decades. Despite strong resistance of tribals at that time also, they were lured with big promises and day dreams were sold that their lives will turn much better and they will be taken care of at new settlement colonies that will be built for them will all amenities. Now, those dreams lies shattered and it has broken in to so many pieces, that it is getting difficult to even count them. On one side, despite enjoying virtual monopoly for several years and earning crores of rupees, enjoying mining rights at laughable low rates of Royalty, Steel Authority of India Ltd., has ignored those people who have made sacrifices.

8.2 Rourkela, Raulia and Tribal Identity

According to the census report of 2011 the population of Rourkela is 4,84,292. But the number of population as per the census record of 1921 was only 382. The then railway station of Rourkela was within the revenue village of Mahulpali. There was a very small village towards the southeast corner of Mahulpali within a distance of about two kilometres called Rourkela. The literary meaning of ‘Rourkela’ according to the language of ‘Sadri’ is your home. It is also learnt that a tribal community called ‘Raulia’ had been living at the village since time immemorial. They were experts in tantrick. According to their ancestral occupation the village was known as Rourkela. The present name of Rourkela is the outcome of the ancient tribal village of Rourkela Mandira Dam has been constructed before about five decades by acquiring farm Land of thirty two mauzas. All the lands were acquired up to an area where
now stands Pillar No. 98. All those villages that fell within that area have also been destroyed as are submerged in the Dam water. All those who were displaced are tribals and are in thousands. They were resettled at few resettlement colonies. Bhelwadihi is one such colony.

Most of those tribals who could not produce land records were not paid any compensation and promised jobs also eluded them. Very high rate of illiteracy, simple nature to put faith in others and poverty are the primarily responsible for their not maintain proper land records amongst the rural tribals even now. But land record is the basic document and the main instrument to measure the compensation and other facilities of tribals facing displacement. Now after much struggle, some hope has generated at least on the front of giving employment to one person from each Khata holder family. This has caused a peculiar problem. The khata holder single family has now multiplied in to three, four, five and even six. There are quarrels as who should get the job at Rourkela Steel Plant. This often results in violence and has become a serious problem.

The other problem is to earn livelihood. Most of the tribals have lost their farm land, while few have lost part of their land as it fell on the area of Pillar No. 98 and few of those who have been displaced from the villages due to submergence under water but their land is not acquired as it falls beyond the pillar No. 98 are doing paddy farming. They have their own problems to tell. The flooding of water from the overflowing Mandira Dam has caused losses to the paddy many a times in the past. Last year, when the paddy was almost ready for harvest, the water from the Dam flooded their farms and the entire crop was lost. Locals call it as “GAJAMAR”. Those poor tribals are any how surviving by making livelihood on fishing activity at the Dam waters where also they face harassment at the hands of police from time to time. Court cases have also been clamped on few of them. Harassment at the hands of the forest department is one more problem faced by them. Every now and then, they are raided even at night hours and even seize the wood used in construction of their small houses. Even domestic goods are also seized.

The danger of tribals' extinction has had a traumatic past with the establishment of the Rourkela Steel Plant (RSP). The Steel Authority of India (SAIL) had acquired about 35,000 acres for RSP and
another 12,000 acres for the Mandira Dam. According to an Odisha Gazette Notification, 33 villages over 25,03,524 acres had been acquired by the Odisha government in 1954 to set up the steel plant at Rourkela, and 31 villages spread over 11,92,398 acres for the construction of the Mandira dam in 1956-57. In both the projects, 36, 95,912 acres had been acquired for the RSP and Mandira dam resulting in the uprooting of 4,251 families. SAIL and the Odisha government have failed to rehabilitate and resettle the evacuees of the last 50 years. The tribals feel totally deceived and disillusioned, both by the state and centre. Until this date they have been pressing their demands by taking recourse to hunger strike, rallies, demonstrations, memoranda and lobbying, but the authorities are indifferent.

8.3 Land Acquisition, Exclusion and Tribals

For the establishment of Rourkela Steel Plant, the Government of Odisha acquired 19,722.69 acres of land, and 2,465 families of 32 villages were displaced. Similarly in the year 1957-58, Mandira Dam was constructed by Hirakud Dam Organisation on the river Sankha to facilitate water supply to Rourkela Steel Plant. For Mandira Dam Project, 11,923.98 acres of most fertile land were acquired, and 941 families of 31 villages were uprooted. They were allotted small pieces of rocky land that gave them sustenance of life hardly for three months. Thus a total area of more than 30,000 acres of tribal land has been acquired for the purpose of Rourkela Steel Plant, Steel Township, Railway Lines, Fertilizer Township and Mandira Dam Project. The Government of Odisha intentionally ignored the Executive Instructions issued by the Board of Revenue, Bihar and Odisha under Land Acquisition Act, 1894 (Act I of 1894) as amended from time to time and incorporated in Bihar and Odisha, Land Acquisition Manual, 1928 issued on date 11.3.1928 and adopted from Madras Law Acquisition Manual. It is pertinent to mention here that for the acquisition of lands for Rourkela Steel Plant and Mandira Dam, Government of Odisha made an independent legislation, i.e. “The Odisha Development of Industries, Irrigations, Capital Construction and Resettlement of Displaced Persons (Land Acquisition) Bill, 1948”, in short term herein after referred to as Act XVIII of 1948. For the purpose of the acquisition of Adivasi land for Rourkela Steel Plant and Mandira Dam Project, the Government of Odisha established an office known as 'Rourkela Land Organisation' headed by an officer of the rank of Additional District Magistrate (ADM) who has been entrusted to look into the matter of land acquisition and resettlement of displaced families. Adequate provisions were supposed to have been made under the Land Acquisition Act for requisition, acquisition, taking over possession and payment of
compensation. What exactly has happened in the last 50 years with regard to the establishment of Rourkela Steel Plant and Mandira Dam is a sad narrative.

The notice of acquisition of land as required under Section-3 of the Act XVIII of 1948 was published but no notice was served on the owner or occupier affected by the notice of acquisition in view of Section-4 of the said Act. By invoking the power under Section-5 of the Act XVIII of 1948, the District Administration forcibly took over the possession of the land and houses of the illiterate and innocent scheduled tribe persons of the affected villages.

As per the given assurance, the Government of Odisha gave a plot of land measuring 60' x 40' in the resettlement colonies of Jalda, Jhirpani (and later Bondamunda) free of cost for construction of house to some of the displaced persons, but none of the displaced families was given the cultivable land in proportion to their possession of landed property nor paid the land reclamation subsidy of Rs.100/-. Only a nominal amount has been given to some of the displaced persons towards the loss of crops for the year of acquisition, but no compensation has been paid.

After the construction of Mandira Dam, a vast area of rayati agricultural lands of 8 villages, i.e. the upper side of Mandira Dam, were badly affected by sand cast due to stagnation of water in the Mandira Dam Reservoir. A map showing the land acquired and affected areas has been marked by Pillar No. 690 and 698 which has been constructed by the engineers of Hirakud Dam.

The HSL, RSP occupied 15.15 acres of land in the Air Strip, although possession of this area has not been handed over by the State Government. In the year 1962, the State Government has allotted 647.82 acres of HSL land in village Kantajhar and Upabarhal for establishment of the Regional Engineering College at Rourkela with the understanding that they would give an equivalent area to HSL in exchange. The Deputy Commissioner in his Letter No.1683, dated 19.11.1963 agreed to include this area in the exchange proposal. In the year 1966, the Agriculture Department of the State Government required land for establishment of a vegetable farm and a poultry farm at Rourkela. So, an area of 120.70 acres was handed over to the Agriculture Department and Animal Husbandry Department on 29.6.1966.

As per the copy of Letter No.2374/ Rev.(A) dated 23/08/1972 from Sri. J.N. Naik, OAS (I) Secretary to Commissioner, Addressed to the Deputy Commissioner L.A. &R. Rourkela at Sundargarh in reference to the Government decision communicated in memo no. 45532, dated
10.8.1972, it is stated that the allotment of the land surrendered by the HSL had to be finalized in favour of the original tenants. But till now it has not been ascertained, whether the said surrendered lands have been finalized in favour of the genuine displaced persons or not. The State Government have requested to HSL, RSP for surrender of some lands, but on the contrary, the RSP authorities have leased out 29.70 acres of land to the following organizations

i. Bastia Memorial, Sector-6, Village Purnapani– Ac. 2.00.
ii. Adarsa Pathagara, Sector-5, Village Purnapani– Ac. 3.20.
iii. GEL Church, Sector-18, Village Purnapani-Ac. 0.27.
iv. Ispat Anjuman, Sector-15, Village Tumkela – Ac. 0.23.
v. Sri Aurobindo Yoga Mandir, Sector5, Village Purnapani – Ac. 5.00.
vi. Vivekananda Education Society, Sector-6, Village Purnapani – Ac. 8.00.
vii. Satyasai Seva Samiti, Village Chhend – Ac. 11.00

So many encroachments have been developed owing to the callousness of the Revenue and RSP authorities. Construction of Basanti Colony, Chhend Housing Colony, Kalinga Vihar, Durgapur Foot Hill Housing Scheme, 7 & 8 Area land allotment, Balughat area, Koelnagar, LIC Colony, and all sector areas are full of encroachments. The above mentioned colonies are constructed on the land acquired for Rourkela Steel Plant. That is to say that the colonies are set up to give en-masse settlements to non tribals and outsiders by evicting the indigenous people. So it is very clear that the Government of Odisha has undemocratically, illegally and unconstitutionally authorized to set up these colonies for outsiders and non tribals.

The State Government of Odisha has framed a Rule, Vide Revenue Department Notification No. 22333/ R.G.E., Sundargarh, 1 of 68 on 12.1.1968 as 'SPECIAL RULES FOR DISPOSAL OF GOVT. LAND IN CIVIL TOWNSHIP AREA AT ROURKELA.' This civil township area is named as 7 & 8 Developed Area. About 300 acres of land acquired by the State Government from the local Adivasis are being allotted from 1971 to non tribals particularly to influential prospective lessees such as bureaucrats (IAS officers & IPS officers), political leaders, ministers, high officials of the state, big business persons of the state, revenue authorities and industrialists at exorbitant rates by way of lease, allotment, auction, sale, which is beyond the reach of the poor displaced persons. The action of the State Government as mentioned above is contrary to the provisions of the 5th schedule of the Constitution of India. It is also in violation of the provisions of Odisha Regulation (2) of 1956 (ODISHA Schedule Area Transfer of Immovable Property)
8.4 Land Transfer Agreement and Settlement of Account

Surprisingly, the Land Transfer Agreement between the State Government and HSL has not been concluded even after such a long gap of handing over formal possession of land by the State Government for establishment of Rourkela Steel Plant and its allied units. On 19.5.1973 a meeting was held between the officers of the State Government and HSL and it was decided that final figures for settlement of accounts will be worked out by the Collector, Sundargarh, and the Town Administrator, Rourkela Steel Plant. The Industries Department of the State of Odisha in their letter dated 14.9.1973 have finalized that the lease deed will be finalized incorporating the agreed terms and conditions of the draft agreement and lease deed will be signed only after full payment of the dues of the Government outstanding, i.e. Rs.16,46,23,234.27 against HSL up to 1972-73.

On 3.4.1974 the State Government sent a draft lease deed for acceptance and execution (vide Letter No. 8580 dated 3.4.1974, I.D. Dept. On 28.5.1974, the General Manager, HSL suggested certain modifications to the draft lease deed for consideration of the State Government on the points mentioned, but the said agreement has not been executed till 1991. In the year 1954, land was acquired for establishment of Rourkela Steel Plant and Mandira Dam from the Adivasis, but the Government machinery made agreement only for 15,714.21 acres of land because of strong protest by the affected tribals in the year 1993. The authorities left the rest of the land so acquired for agreement till date. This is highly illegal and unlawful.

The HSL authority without prior approval of the Central Government or State Government authorities illegally leased out valuable lands to so many unauthorized persons destroying the main objectives for which the land was primarily acquired from the local Adivasis for establishment of the steel plant. The steel plant authority brought a novel but illegal plan to lease out under different types and forms, such as 99 years lease, 30 years lease, 10 years lease and 5 years lease to different persons on payment of a huge amount of premium and monthly rents per acre, such as Rs. 37,230/- as ground rent, which will be increased at the rate of 20 per cent after completion of every 10 years of occupation, Rs. 50,000/- as premium respectively. And in this process from 1955 till 1991 they are collecting a huge amount of money.

Dhebar Commission Report (1961) The Dhebar Commission has categorically reported in favor of
the displaced persons regarding employment, education, payment of adequate compensation, refund of surplus land, periphery development, subsidy payment for construction of houses, house site and providing facilities for development of settlement of colonies, but due to half hearted interest of the government and RSP authorities, the recommendations of the Commission were never complied. The details of displaced families – compensation paid or not, if paid, how much, if not, how much due - should be worked out honestly. This is a vast question. But it is not impossible on the part of the government to make a comprehensive study to calculate the unpaid compensation. In the year 1955, when the rates of compensation fixed were Rs. 200/-, Rs. 400/-, Rs. 600/- and Rs. 900/- per acre, the unpaid compensation was Rs. 1,47,20,565.51 which has gone up to Rs. 16,46,23,234.27 without interest. It should be calculated 40 times in 36 years.

The promises, press notes and agreements made by the government and SAIL authorities to the local Adivasis from 1955 till date, have not been fulfilled even up to 25 per cent of what they promised. Such as, Grant of cultivable agricultural land in lieu of acquired cultivable land free of cost up to a maximum of 33 acres to each recorded tenant. Employments for them in special quotas as Displaced Persons in HSL and other connected Industries, Refund of unutilized vacant land (an area of about 15,000 acres of land),

The Adivasis were treated by the government authorities and HSL authorities as if they are the encroachers in their rayati land and they have been forcibly ousted under threat, for example (i) in Sector-18, and (ii) in Bhagamunda, there were two firings on the tribals in order to throw them out from their lands unlawfully just in the same way as it took place at Kalinga Nagar in Odisha on 2.1.2006. Due to this unwanted brutal firings, on fear, the tribals of the said two places left their lands and houses. It is pertinent to mention here that the administrative authorities by putting the false and fabricated thumb impressions of the Scheduled Tribe persons have misappropriated the compensation awarded in favour of the tribals, who were actual owners of land. Till date substantial amounts of compensation, which could not be misappropriated by the state administration are lying in the Civil Deposit.

After a long gap of 50 years of establishment of Rourkela Steel Plant and Mandira Dam, the State Government by Resolution dated 13.5. 2005 formed a High Level Committee under the chairmanship of the Principal Secretary to Government of Odisha, Revenue Department, to look into the matter of rehabilitation and resettlement of Rourkela Steel Plant and Mandira Dam
Project in the District of Sundargarh. But so far the said committee has not taken any sincere steps to find out solutions of such serious and sensitive issues. This high power committee presided, over by Mr. Tarunkanti Mishra, IAS, Principal Secretary to Government of Odisha, and Revenue Department, conducted its meeting and drew up a Proceedings on 4.7.2005. In the said Proceedings, it has been specifically mentioned: (i) To provide employment to at least one person from each displaced family in adoption of erstwhile T.N. Singh formula and inclusion of persons in the list of displaced persons who were adversely affected due to coming up mines and railway lines with the project. (ii) To find out such persons who have been provided employment on the basis of fake displacement certificate.

In para 3 of the Proceedings, it is mentioned that records of the district administration and Rourkela Steel Plant should be cross-checked to verify complaints of getting employment on the basis of fraudulent certificates. In the said Proceedings it is mentioned that in a reply to a question put by the Hon'ble M.P. of Sundargarh on 21.12. 2004, the then Hon'ble Minister for Steel and Mines had specifically stated that, “the number of displaced persons for any project is determined on the basis of report of the concerned State Government. If State Government has given any report on number regarding displaced families and they have not been provided with employment on the basis of such report, the Government will not only see that such report is implemented, but also initiate suitable action against defaulting authorities.” In the said Proceedings it is mentioned that in the matter of rehabilitation and resettlement, the decision of the State Government is final and binding and the present case of RSP shall be no exception to it. In the aforesaid meeting, the Managing Director, Rourkela Steel Plant raised a point that REHABILITATION AND RESETTLEMENT IS THE BASIC RESPONSIBILITY OF THE STATE GOVERNMENT. INDUSTRY CONCERNED IS NOT RESPONSIBLE FOR ITS PROPER IMPLEMENTATION. It proves that the authorities of Rourkela Steel Plant are indifferent with regard to the rehabilitation and resettlement of the actual displaced persons, i.e. mostly the local tribals affected by the construction of Rourkela Steel Plant and Mandira Dam.

Under the provisions of Section 4 of Act I of 1894 as amended by Act XXXVIII of 1923 and under the provisions of sub-section (1) of Section 3 of Odisha Act XVIII of 1948 with regard to the acquisition of tribal land, the Government of Odisha circumvented the provisions of the Fifth Schedule of the Constitution of India as to check and control the immovable properties of tribals.
in Scheduled Areas as provided in sub-paragraph (2) of Paragraph 5of the Fifth Schedule. It is pertinent to mention here that prior to the acquisition of lands for RSP and Mandira Dam, the Odisha Government had not made any law for the protection of tribal land. On the other hand only after the acquisition of land for the above projects, “The Odisha Scheduled Areas Transfer of Immovable Property by Scheduled Tribes), Regulation, 1956”, i.e. Odisha Regulation (2) of 1956, was introduced to control and check the transfer of immovable property by Scheduled Tribes in the Scheduled Areas of the State of Odisha. The Government of Odisha and the Steel Authority of India or Rourkela Steel Plant never bothered for the protection of the tribal land. In the name of the public purpose, the tribals have been massively alienated from their century-old landed property.

Sundargarh which has a dominant tribal population of 918,903 people with a tribal literacy ratio of 37.34 percent where as the total literacy ratio of the district is 52.97. In recent years, hundreds of sponge iron factories have mushroomed all over in the Naxal-hit district of Sundargarh. Existing environmental laws have been flaunted openly by the industrialists who have no concern for pollution and environment degradation. They have been dumping their waste all over for which most agricultural land of the area has lost their fertility. Local people have witnessed and complained about the polluted air and water being emitted from the plant of Rexon Strips in Kumarkela village of Gurundia Block. The polluting units are emitting ammonia fumes, strong enough to corrode tin sheets and burn paddy and green vegetables, which have become a major threat to life. Thousands of people who live in the villages of Ramabahar, Jampali, Jhagarpur, Bargaon, Vedvyas, Balanda, Kuarmunda, Kalunga, Rajangpur, Birkera, Koira, Bonai, Tensa, Birmirapur, Bijabahal, etc. in Sundargarh are suffering from various skin diseases, tuberculosis and other allergies.

The danger of tribals' extinction has had a traumatic past with the establishment of the Rourkela Steel Plant (RSP). The Steel Authority of India (SAIL) had acquired about 35,000 acres for RSP and another 12,000 acres for the Mandira dam. According to an Odisha Gazette notification, 33 villages over 25,03,524 acres had been acquired by the Odisha government in 1954 to set up the steel plant at Rourkela, and 31 villages spread over 11,92,398 acres for the construction of the Mandira dam in 1956-57. In both the projects, 36,95,912 acres had been acquired for the RSP and Mandira dam resulting in the uprooting of 4,251 families. SAIL and the Odisha government have
failed to rehabilitate and resettle the evacuees of the last 50 years. The tribals feel totally deceived and disillusioned, both by the state and centre. Until this date they have been pressing their demands by taking recourse to hunger strike, rallies, demonstrations, memoranda and lobbying, but the authorities are indifferent.

The situation today has reached an alarming point with mines and factories multiplying overnight. The "scheduled district" of Sundargarh, one of the most affected regions, has a population of 18,30,673 of which tribals constitute 9,18,903 (50.19 per cent). The tribals' livelihood is based on agriculture and forest produce and they have still maintained their traditional system of cultivation. The recent years, in the region causing dislocation of the tribal communities at all levels.

Sundergarh in recent times however, have seen an upsurge of unprecedented construction of dams, factories and mining operations. The Ib River Dam project, planned a long time back in Jharsuguda district, is likely to displace 50 villages with between 80,000 and 1,00,000 tribals from Subdega and Balisankra blocks where 85 to 90 per cent of the population is made up of tribals. The catchment area is fertile and well populated with dense forest cover. The state government has failed in giving proper compensation, rehabilitation and employment. The Rukura dam is another project in Bonei sub-division where four tribal villages, namely Musaposh, Bondha Bhuin, Koturidhuwa and Kantabahal, will be displaced. Government officials are issuing threats to secure evacuation.

In recent years, more than 60 sponge iron factories have mushroomed all over Sundargarh in about 12 blocks affecting between 400 and 600 villages. There is no regard for the environment in the community of industrialists and they do little to control pollution. They have been dumping their waste all over leading to serious consequences. Agricultural lands have lost their fertility. People have seen the polluted air and water being emitted from the plant of Rexon Strips in Kumarkela village of Gurundia Block. There is another sponge iron factory at Pandusila village under Sukurmuli Block in the neighbouring district of Mayurbhanj. The smoke, coal and iron dust spewed by the factories are causing extensive damage to the plant, animal and human lives. The water bodies around Pandusila area are also contaminated with toxic discharge of the factory. Over 12,000 villagers, mostly tribals, are suffering from various skin diseases, tuberculosis and other allergies. It is strongly believed that all polluting units are emitting
ammonia fumes, strong enough to corrode tin sheets and burn paddy and green vegetables which have become a major threat to life. Thousands of affected people live in the villages of Ramabahar, Jampali, Jhagarpur, Bargain, Vedvyas, Balanda, Kuarmunda, Kalunga, Rajgangpur, Birkera, Koira, Tensa, Birmitrapur, Bijabahal, etc. in Sundargarh.

Indiscreet industrialisation of the region has alienated the tribals from the forests and their lands, upsetting their pattern of livelihood. Though the Forest Department and the timber mafia are primarily responsible for the destruction of forests, they are now blaming the poor tribals for the same. The tribals are harassed even for firewood which is their daily need. They have been evicted from their forest land and their houses have been destroyed and burnt. False cases have been registered and they have even been sent to jail. Some of the tribal villages are existing for hundreds of years but pattas are yet to reach them. Since their villages are not registered as revenue villages, tribe and residential certificates are not issued to them. They are not included in the voters' list. No government schemes are given to these villages. Forest officials extort money, cocks, goats, alcohols from them as reported by Tintus Samaria, one of the elders of Budakata village, Sundergarh. The tribals are being deprived of natural resources, and the existence of tribals living in the forest is in complete darkness.
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