

## **After Mittal... Bhushan, the struggle continues...**

FIR against 700 villagers and illegal detention of activists, who dared to protect their identity, heritage and existence against the onslaught of industrialization. Years of strategic land acquisition through foul means by the Bhushan Steel & Power Limited was finally culminating in the ground breaking ceremony on May 16th 2010. The adivasis of the area whose land, livelihood and existence is at stake because of the displacement and industrialization decided to Speak out and protest against that acquisition.



They had called for an indefinite *Janta curfew* (People's curfew) to prevent the company from conducting the *bhoomi puja* (ground breaking ceremony) from the eve of May 16th. They sat up in vigil the whole night men, women and children; such is the state of desperation to protect their land. The road was blocked at Roladih village at 6 PM on 15 May. The police imposed section 144 of IPC at the site and case against 700 unnamed villagers was filed, alleging them of violating the law.

The previous evening Human Rights Activist Gladson Dungdung, writer and convener of Jharkhand Indigenous people's forum, Joy Tudu Programme Head Jharkhand Initiatives, Vijay Munda - DBSS, Arvind Kishku volunteer Jharkhand Initiatives of CNI-SBSS, Photographer Gopal Paswan and Badal Sardar convener of Khutkati Raiyat Bhumi Raksha Samity were taken into police custody at 10 p.m. while they were returning from Roladih village after attending a meeting at Khariasai village. Mr. Shashikant Kujur the SP of Jamshedpur rural reached the spot and took them in even after verifying their identity cards, vehicle papers.



All 6 people were illegally detained for 6 hours alleging them of instigating the villagers against the Bhushan Company. They were released only at 4'0 clock in the morning on May 16 with the condition to leave Potka immediately. They were also threatened that if they participated in the protest against Bhushan



company they could face dire consequences of being booked under IPC 144 or any other serious offence. They had to leave Potka.

However, the villagers turned out in a huge numbers carrying traditional weapons not to fight but to assert their identity and demonstrated their protest. The company was not allowed to conduct the ground breaking

ceremony at the proposed site, maintaining the *janta curfew*, the company officials & politicians (MLA & MP) were not allowed near the site. They captured the land where the Bhushan Company had organized the Bhumi Pujan programme.

The villagers also blocked local BJP MLA Menka Sardar. After seeing a huge mass protest, the CMD of Bhushan Company Mr. Sanjay Singhal and chief guest local MP Mr. Arjun Munda did not take part in the inauguration function. The villagers did not allow the Bhumi Pujan to take place but the company's officials did secret Bhumi Pujan in another side of the project.

PESA, 1996, and the Wilkinson Rule of 1837 empower the village *gramsabhas* to take decisions regarding the sale and purchase of land. According to constitutional provisions, any deal of sale or purchase of land has to be approved by the *gramsabha*, yet the land was acquired without consulting the *gramsabha*. This plant if set up requires 3450 acres and would displace more than 10,000 people from over 14 villages.

Potka block of East Singbhum district in Jharkhand has been functioning since 1958 vide the letter no 3852 dated 23.03.1958 of the Department of Community Development, Government of Bihar. The block headquarter is situated besides the Hata - Musabani road at a distance of 7 Km from Hata (a place on Jamshedpur-Chaibasa Road). Potka is situated at a distance of 40 KM from Jamshedpur the district head quarter of East Singbhum. The area of the block is 59025 Hectors. The block constitutes of 25 Panchayats, 12 Halkas and 293 villages of which 12 villages are Bechiraji (no man's land).





Initially, Potka Block office was started at Kalikapur Dak Bungalow and later on shifted to a new building at Potka village. To the North of Potka Block, Jamshedpur Block is positioned. In the South of this block District Mayurbhanj of Orissa is situated. In the East, Musabani, Ghatshila, and Dumaria blocks are positioned and in the West Rajnagar Block of West Singhbhum is situated. According to the Census 2001, total population of Potka block is 170,657, whereas 51.2 percent are Adivasis with the total population of 87,444 and 4.4 percent are Dalits (Schedule Caste) with the total population of 7030.

Most of the villagers depend on agriculture and forest products for their survival. Merely 5 percent of them are engaged in the government jobs and nearly 1 percent in the small business. The economy of Potka is completely based on agro-forest but the state has been attempting to convert it into the market economy. Therefore, the major issues of the people's are grabbing of livelihood resources (land, forest and water), violation of the traditional and constitutional rights of the villagers and defunct of the government implementation institutions.

Potka block was highly noticed in September 2004 when Mr. Naveen Jindal landed to Asonboni village of Pokta for his new project. When the villagers came to know about the Jindal's project they started protest which went on for a long time. As a result, Jindal shifted its project to elsewhere. Amidst, another corporate house "Bhushan Steel and Power Limited" started identifying villages for acquiring land for its steel and power project. Finally, the company signed an MoU with the Jharkhand government on 7 September, 2006 for establishing an integrated steel plant of 3 Mt and 900 MW power plant with the estimated investment of 10,500 crore.

The Bhushan Company had planned for inaugurating its project at Pichili village on October 2, 2006. But when the villagers came to know about it they organized themselves and blocked the road, where 5000 people participated in the protest. The company had planned for acquiring land of 14 villages and most of these villages are Adivasi dominated. Since, the Adivasi see land as their identity, heritage and existence therefore a strong People's Movement against the land acquisition for steel and power plants of the Bhushan company has been going on at Potka since 2006. Consequently, the company failed in materializing its project despite many attempts.



However, after facing a mass protest, the company adopted the strategy of divide and rule. It identified 10 strong middlemen and deployed them in the villages on monthly salary. Finally, it was able to purchase 135 acres of private land. As a result, there is a clear division among the family members, villagers and communities. The Adivasis have not given their lands to Bhushan Company but the other business communities sold their land to the company. The company has played several tricks of trade.



The company started initial work on May 7. It has leveled the land and established 3 portable ITI centres (moving house) at Potka village, which resulted in a sense of insecurity and tension among the villagers of entire Potka region. However, the company announced a formal Bhumi Pujan (inauguration) programme, which was conducted on May 16. The series of meetings were conducted in the villages under the banner of “Bisthapan Virodhi Ekta Manch” a pioneer organization of the displacement movement supported by many people’s organizations and movements. The organization decided to impose an indefinite “Janta Curfew” (People Curfew) at Potka, from 6 p.m. onward on 15<sup>th</sup> of May 2010.

It had been decided that no outsiders including the representatives of Bhushan Company, police and government officials would be allowed to enter into the project area during the Curfew. The curfew would be totally peaceful but the Adivasis would hold their traditional weapons as symbol of protest.



The political leaders were also asked to support the movement otherwise they would not be allowed to enter into the villages during the next election.

Land grabbing is a serious threat for the food sovereignty of our peoples and the right to food of our rural communities. Agricultural land is not something to be purchased by the industrialization for diversification and higher return on their asset

portfolio. The right to food and life cannot be violated.

With respect to indigenous peoples, the UN Declaration on the Rights of Indigenous Peoples provides for the full protection, through effective mechanisms for prevention of and redress for, any action which has the aim of dispossessing them of their lands, territories or resources (Art. 8(b)), as well as the right to not be forcibly removed from their territories without free, prior and informed consent, the right to be compensated and the right to return (Art. 10). Furthermore, they are entitled to the right to land, territories and natural resources they have traditionally owned, occupied, used or acquired, to the right to own, use, control and develop lands, territories and resources they possess, and a right to their legal recognition and protection (Art. 26). The relationship between their right to maintain a distinctive spiritual relationship with their land, territories, water, coastal seas and other resources is recognized and protected by Art. 26. Governance and management of land, land systems and the environment by the indigenous peoples are regulated by Arts. 29 and 32.