

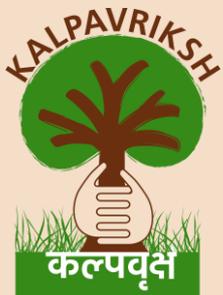


THE NIYAMGIRI STORY

CHALLENGING THE IDEA OF GROWTH WITHOUT LIMITS?

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1. Introduction to the study

The decade long struggle of the Dongria Kondh, a small *adivasi*¹ community of about 8000 people who reside in the Eastern Ghats of Odisha, India has been held as an organic, grassroots resistance movement, of a people and their way of life pitted against a model of exploitative development in the form of a major multi-national extractive corporation. The struggle gained enormous international attention and stands in line with many such contemporary struggles including the Kalinga and Bontok peoples against the Chico River Basin Development Project in the Philippines², the Wet'suwet'en Nation against the tar sands and gas pipelines project in British Columbia³, the Guarani peoples against commercial plantations on their territories in Brazil⁴, the Wajan and Jagalingou peoples against coal mining in Queensland, Australia⁵, and several others.

There is no doubt that the current demand for industrial growth and development, based primarily on the extraction of minerals, water and forest resources is obliterating indigenous communities and their habitats⁶. The model of 'economic development' being followed worldwide has resulted in glaring inequity, is entrenched in structural violence against certain communities and the natural world and is slowly obliterating the diversity of societies, cultures and livelihoods that exist around the world. Many indigenous peoples and other communities through their resistance struggles have already pointed this out and as a result, such peoples and communities are beginning to articulate their own responses to local and global crises. This includes some responses like the Peruvian Amazonian Ashaninka communities' federation's articulation of *Kametsa Asaiki* ('living well')⁷ or the Equador Andean concept of *Sumak Kawsay* ('fullness of life' or

1. *Adivasi* literally means first settlers, and is the term used to describe India's indigenous groups. They are classified as Scheduled Tribes in the Constitution of India. The Government of India does not consider any specific groups as 'indigenous' since it claims all citizens to be indigenous.

2. (Fiagoy, 1988)

3. (Hill, 2011)

4. (World Rainforest Movement, 2006)

5. (Wagan and Jagalingou Family Council, n.d)

6. (UNDSPD, n.d); (UN, 2011).

7. (Sarmiento Barletti, 2011)

'well being'⁸ or the southern African notion of *ubuntu*⁹, or the Indian concept of *swaraj*¹⁰, among others. These concepts have their roots in indigenous communities' relation to the natural environment they live in and the ways in which they perceive the world. They are explained through communities' perspective about what 'living well' means for them and how they wish to pursue their relationships with external actors including the government, and others who have the power to support or the ability to undermine them and their natural environment through unwanted interventions. These communities have also started the processes towards self-determination of the future they want for themselves, their territories and resources through 'vision documents' and 'life statements' like the *Plan de Vida* (life plan) of the Columbian Misak community¹¹ and Bio-Cultural Protocols¹² that help them to communicate their vision and lay down guidelines of engagement. In more recent or 'modern' contexts, alternative frameworks such as such as degrowth in Europe, solidarity and social economy in northern America and Europe, radical ecological democracy in India¹³ are also emerging. Thus, together with resistance struggles on the ground, these ancient and new concepts and visions are offering a strong counter to the rapacious economic development model.

1.1 OBJECTIVE OF THE STUDY

Much has been written about the struggle of the Dongria Kondh community against the destruction of their habitat in the Niyamgiri Hills due to bauxite mining by the powerful Vedanta Alumina Ltd. Their articulations about the sacredness of Niyamgiri, their culture and identity have been well documented and hailed by environmentalists

as well as human rights defenders. But there is very little written on how this reflects on their notions of 'development' and 'well-being'. We therefore felt a need to gain a preliminary understanding of and document what the Dongria Kondh think of these notions, through the inherent socio-cultural, economic and livelihood practices of the community; and through facilitating discussions with members of the community about their articulations of what they perceive as development and well being.

The current study was undertaken so that these observations would be taken back to the Dongria Kondh and the activists supporting the struggle to possibly,

- a) facilitate fuller articulation of the Dongria Kondh's worldview of 'well-being'
- b) construct an alternative framework/s of 'well-being' within India with the consent and full involvement of communities such as the Dongria Kondh¹⁴, which can present a alternative view from the current dominant economic and governance models; and
- c) facilitate an exchange amongst similar indigenous and other community worldviews, and other civil society reflections and visions around the world, feeding into movements to present an alternative view from the dominant political economy at a global level.

1.2 METHODOLOGY

As part of the study, we visited Dongria Kondh villages in Rayagada and Kalahandi districts the Niyamgiri hills thrice between December 2014 and December 2015¹⁵ where general, non-

8. (Pachamama Alliance, n.d)

9. (Manda, 2009)

10. (Kothari & Das, 2016)

11. (Watts & Marti, 2015)

12. (Bavikatte & Jonas, 2009)

13. (Kothari (a), 2014); (Kothari, Demaria, & Acosta, 2015); (Kothari (b), 2014)

14. Kalpavriksh hopes to carry out similar exercises in one or two other locations, possibly in Gadchiroli district of Maharashtra with Gond adivasis, and in Medak district of Telangana with dalit women farmers.

structured conversations were carried out with the Dongria Kondh about the struggle, life in the hills and their vision of development, guided through a rough draft of questions put together for the study. These were:

- a) What do the Dongria Kondh think of 'development' as they see it around them, or as it has been explained/ articulated to them? What are the immediate and perceived threats that this form of development poses to the community?
- b) If they are not in favour of such 'development', do they have alternative visions of wellbeing which will help them maintain or achieve the security of livelihood, food, water, health, learning and other basic needs? Are ideas like autonomy, self-sufficiency, self-rule and such others part of this?
- c) Are there new aspirations amongst the young people, which clash with the above, and if so, how are these dealt with?
- d) Are they considering articulating their worldview of well-being in some way, or do they simply want the state/ corporations to leave them alone? If the latter, do they also not want state welfare services?
- e) Apart from the immediate motivations of saving the ecosystems on which they depend for livelihood sustenance, are there underlying cosmo-visions or worldviews that are fundamentally different from the way in which the modern, 'developmentalist' economy

looks at nature and natural resources? Clearly spiritual or religious motivations were also important, are these embedded in such a larger cosmo vision or worldview?

Through conversations structured around these questions, we attempted to try to understand if there were underlying cosmo visions or worldviews of the Dongria Kondh that were fundamentally different from the way in which the modern, 'developmentalist' economy looks at nature and natural resources. Based on their responses after the first visit, we also spoke to the non-Dongria activists guiding the struggle about the articulations of the people and their reflections. We also had an interaction with members of the Domb community who co-inhabit Niyamgiri hills. We visited and interacted with the officials of the Dongria Kondh Development Agency, Chatikona about the schemes currently in place for the Dongria Kondh. Thus, the study primarily draws from the Dongria Kondhs' own articulation about development, along with insights provided by activists and co-inhabitants, counter posing these with the narrative provided by the official welfare agency, and supplementing it with some secondary literature.

1.3 LIMITATIONS

The major limitation we faced was the strong language barrier, since both Kui and Odiya were totally unfamiliar languages and the team relied heavily on accompanying Odiya speakers. Due to paucity of time and resources, and hesitation to impose on the community,

15. *Kesarapadi and Serakapadi villages of Sivapadar gram panchayat, Merkabondili, Sakata, Gorota, Troholi, Bododenguni, Sanodenguni, Dhamanapanga and Monda villages of Munikhol gram panchayat; Khambesi village of Kurli gram panchayat and Bariguda village of Hata Muniguda panchayat in Rayagada District. Lakhpadar village of Bhimkela panchayat and Phuldumer and Palberi villages of Trilochanpur panchayat in Kalahandi District.*

we were also unable to spend more than a few hours in each village. While we did converse with a few Dongria Kondh elders and leaders who were vocal about the struggle and what they perceived would be the ideal future for Niyamgiri and their community, in-depth conversations with youth, women and religious and spiritual leaders such as *bejunis* and *janis* could not be carried out.

While discussions reveal glimpses of a uniquely Dongria Kondh worldview, due to the combination of all the factors mentioned above, we have been unable to fully articulate this. However, we have been able to record, from the limited scope of discussions, our understanding of their articulations about the current process of 'development' and their vision for the future.

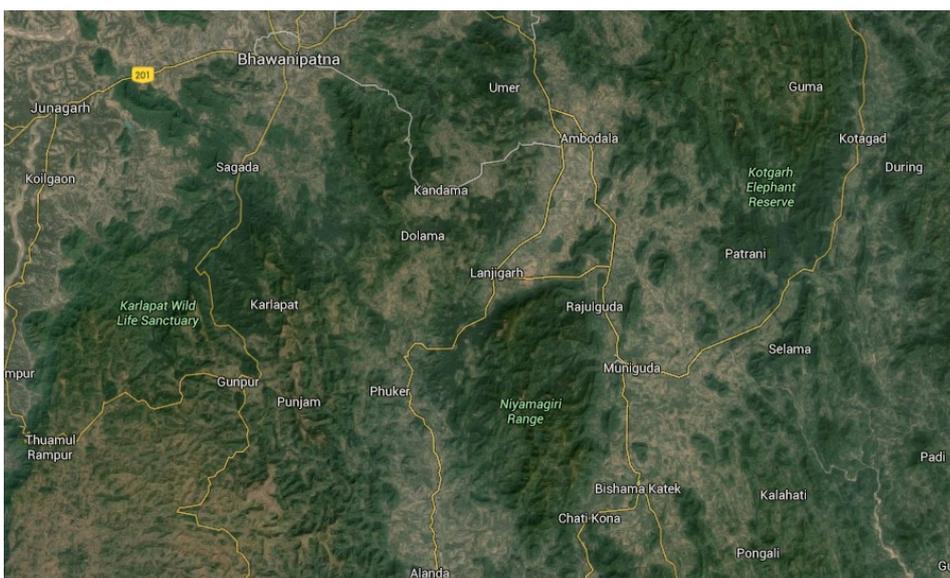
This case study is therefore to be looked as a preliminary overview of the articulation of the Dongria Kondh that we interpreted, on the current concept of 'development' and what it means to them as a community, their reflections on the kind of outside interventions that the

community thinks are both needed and inimical to their socio-cultural, political and economic self sufficiency and the natural environment of Niyamgiri hills. The case study is therefore to be looked as a work in progress and will be enhanced only when it is taken back to the Dongria Kondh for critical review, reflection and evaluation.

2. The Dongria Kondh of the Niyamgiri Hills

The Niyamgiri hill range is spread over 250 sq.km in parts of Rayagada and Kalahandi districts of Odisha. It is part of the Karlapat and Kotgarh biodiverse landscape. The rich deciduous forests are a habitat for several endemic and threatened flora and fauna. It was declared as an Elephant Reserve by the State of Odisha in August 2004. The rivers Vamsadhara and Nagavali originate in these hills¹⁶.

The Dongria Kondh tribal community has been a part of the landscape for many years, sustaining themselves from the resources of the forests of the Niyamgiri



Niyamgiri hills are part of the contiguous corridor between Kotgarh Elephant Reserve and Karlapat Sanctuary

(image from Google Maps)

16. (Vasundhara, 2006)

range. The *Kondhs* are a tribal community with several sub-groups, inhabiting hills tracts of Odisha and parts of Andhra Pradesh. Each sub-group like the Dongria, Kutia, Desia, etc., has its own distinct identity. The name *Kondh* is said to be derived from the Telugu word *Ko* or *Ku*, meaning 'mountain', thus a *Kondh* is a 'mountain dweller.'¹⁷ Their native language is *Kui*, which has no written script. The Dongria *Kondh* have inhabited the Niyamgiri hill range for centuries¹⁸. They believe in a Supreme deity Niyamraja (the King of Law) who is also their ancestor. The Niyamgiri hills are thus 'the hills of Law', the abode of Niyamraja, who rules the hills in accordance to these laws, along with other deities associated closely with nature. The Niyamgiri hill ranges constitute the *habitat* of Dongria *Kondhs* who along with the settled Scheduled Caste *Domb* community in the hills and some Kutia *Kondh* and Desia *Kondh* (groups inhabiting the Lanjigarh plains who have themselves developed a close association with the forests and the fertile soil accumulated at the foothills) have been part of the Niyamgiri landscape. The customary occupations of the Dongria *Kondh* are agriculture (of the shifting cultivation/swidden type)¹⁹ and collection and sale of minor forest produce. They practice a complex agro-forestry system, cultivating patches of land cleared from the forest in rotation, rearing livestock for meat and ritual sacrifices, and collecting various minor

forest produce for sustenance and medicinal purposes²⁰.

The structure of the Dongria *Kondh* society is closely linked to the sacredness of the mountains and the laws prescribed by Niyamraja. The Dongria *Kondh* community is organized into several clans or *kudas* (at least 36 have been identified) with each clan possessing certain customary territories (distinct geo-cultural landscapes) called *padars*, which usually consist of several hills²¹. The clans are exogamous and each clan territory has a dominant clan group as well as groups who have migrated to the clan over a period of time through marriage or kinship. The Dongria *Kondh* have more than 300 settlements or hamlets across the Niyamgiri hills. These settlements are not permanent, and sometimes communities abandon them in search of new ones, but the new settlements are always located within their clan territories, within their habitat. A settlement is almost always built on gentle slopes with the traditional adobe houses constructed in parallel rows. The houses have wooden foundations and posts and thatched roofs made from a locally available grass. The roofs reach close to the ground on either side. Since the region experiences heavy rainfall and winds, the sloping thatched roofs prevent heavy winds and rains from entering the houses.

Traditionally, the socio-political decision-making body of the Dongria *Kondh* is known as the *kutumba*²². The *kutumba*

17. (Shodhganga, n.d)

18. The Dongria believe that they were settled in the plains around Lanjigarh and would go into the hills to hunt and gather food. However, eventually they started dwelling in the hills. In (Jena, Pathi, Dash, Patnaik, & Seeland, 2002).

19. In this kind of agriculture, a patch of forest is cleared, the undergrowth burned and this patch is then cultivated for a few years (the Dongria *Kondh* refer the patch as *podu*), after which another patch is cleared and the previous patch left fallow for several years. Thus, patches are cleared and used in a continuous cycle, ensuring forest regeneration in the unused patches and availability of enough forest produce. This kind of agriculture allows the Dongria *Kondh* to grow a variety of millets, grains and pulses in the fields which provide them sustenance throughout the year.

20. (Saxena, Parasuraman, Kant, & Baviskar, 2010).

21. Some of the elders we met say that there are more than 112 such *padars* spread across the hills.

functions at the level of the clan (*kuda kutumba*) and at the level of a settlement (*nayu kutumba*). To manage the religious and political affairs of each clan, four functional groups or *punjias* have been formed which are the *jani*, *pujari*, *bismajhi* and *mandal*. The *kuda kutumba* presides over the *matha mandal* which manages the affairs of a particular clan in a cluster of villages²³. It presides over inter-village matters and inter-ethnic disputes of the same clans in different villages.

The *jani* is the religious and secular head. He usually influences political decisions. The *pujari* assists the *jani* in performing sacred rituals and ceremonies. At the settlement level, the *kutumba* usually discusses and deliberates on marriages, issues related to property, distribution and arbitration related to swidden sites, cooperative labour, inter-personal relationships and other intra-village affairs. The *mandal* is the political head of the *matha*. The *bismajhi* assists the *mandal* in political affairs, and acts as a treasurer for festivals and other occasions. Besides these posts, the traditional society also consists of a *desari* or a traditional healer, who is also the astrologer and religious head and the *bejuni* who is the female shaman. Traditionally, women usually do not attend these meetings. The *kutumba* discusses every decision to be made about the issues that affect the community and decisions are taken for the benefit of the village. The *Dombs* are an integral part of the social and political life in the Niyamgiri hills and are important as communicators between the Dongria Kondh community and other communities and traders in the plains.

They do not own much land, but act as traditional messengers or *barika*. They control much of the trade of palm toddy (*salap*) in the hills. Almost all the economic transactions of the Dongria Kondh with other communities were traditionally controlled by the *Dombs*.

The fields and forests of the Niyamgiri hills have been the educational grounds of the Dongria Kondh youth and children. The Dongria Kondh have adopted a system of imparting cultural and traditional values to the adolescents and youths in their villages through exclusive youth dormitories. This system was once prevalent throughout the tribal belt of India through the youth dormitories. Young unmarried boys and girls from the village leave their parents' homes and stay in village dormitories in the evenings where they are taught by the older youth, thereby gaining insight into the philosophical and practical aspects of life within the community and the natural environment. They are taught about culture, territory, marriage, economics and society. In Niyamgiri, the dormitories for girls were referred to as *daaska hada* or *dhangadi basa* and the dormitories for boys as *dhangda basa*. In the Niyamgiri hills, this unique cultural institution is gradually being shunned by the Dongria Kondh since outsiders with whom the Dongria Kondh came in contact with viewed them as being morally objectionable²⁴.

22. (Jena, Pathi, Dash, Patnaik, & Seeland, 2002) call it *kutumbi*. However, while speaking to the Dongria Kondh and other communities, they referred to the institution as *kutumba*.

23. In a single village, besides members of the dominant clan, several members from other clans may also be present. All members of a particular village are presided over by the *nayu kutumba*. The *matha mandal* represents a single clan from a cluster of villages, which presides over matters related to its own clan organization.

3. The 'development' agenda of the State

Independent India's policies have often viewed adivasis as 'beneficiaries' of state welfare schemes designed especially for their 'economic upliftment'. While there is no doubt that many of these communities do face problems of land and resource alienation, indebtedness, exploitation, dispossession, and lack of meaningful education, efforts have been channeled towards raising their standard of living by merely distributing state largess, thereby linking them with the market economy, or in other terms 'mainstreaming' them²⁵. On the other hand, there has been a gradual rise in dispossession of adivasi communities in India through the course of colonization and forceful acquisition of land, territories and resources for 'large-scale' development projects, because of the same market economy. Both these contradictory state arms work in tandem, as they seek to lay the foundations of the current economic growth and homogenous globalisation model. We observed a similar trend in the relationship of the State with the Dongria Kondh community.

3.1 THE PANCHAYAT SYSTEM

The state of Odisha has established the Panchayati Raj²⁶ system in the Rayagada and Kalahandi districts after independence. In 1968, the first Panchayat was established at Kurli, in Bissamcuttack block of Rayagada district.

The Niyamgiri hill range has politically been divided into the Rayagada and Kalahandi districts. The Niyamgiri hills are further divided into the Muniguda, Bisamcuttack and Kalyansingpur blocks in Rayagada and the Lanjigarh block in Kalahandi district. Both the Rayagada and Kalahandi districts fall under the Schedule Five²⁷ areas. The Dongria Kondh villages have been divided up into Panchayats consisting of non-Dongria Kondh populations from the plains as well. Many schemes like the state Public Distribution System for securing food grains and other material for poor families at fare prices, the Indira Awaas Yojna (a scheme for providing lower income families with funds to build houses), the Mahatma Gandhi National Rural Employment Guarantee Scheme (which provides assured 100 days of work with minimum wages to lower income families) and schemes for agricultural development, road construction, water conservation and others are planned and carried out through the *gram panchayat*.

3.2 DONGRIA KONDH DEVELOPMENT AGENCY

The Dongria Kondh community has been classified as a Particularly Vulnerable Tribal Groups (PVTG)²⁸. The PVTG status entitles them to some special welfare schemes and enjoins upon the state a special responsibility for protecting their interests. The Dongria Kondh Development Agency was set up in 1964, to launch 'developmental' programmes in

24. (Hardenberg, 2005); (Jena, Pathi, Dash, Patnaik, & Seeland, 2002)

25. (Gill, Bhattacharya, & Bhattacharya, 2015)

26. This generally refers to the political system of India introduced by the 73rd constitutional amendment of 1992, where a three-tier governance system has been established in the villages.

27. The fifth schedule of the constitution of India guarantees the Scheduled Tribes the right to land over which they live. Schedule V areas are those areas which have a large population of tribal groups and are notified as such by the President of India. They are governed under special laws like the Panchayats (Extension to Scheduled Areas) Act, 1996.

Niyamgiri²⁹. The agency was set up with funds from the Tribal Sub-Plans³⁰ of the Central Government with the primary objective of 'accelerating the economic development' of the Dongria Kondh through execution of schemes³¹. The Agency has its field offices in Chatikona village of Bissamcuttack block and in Parsali village of Kalyansinghpur block of Rayagada district. In the initial years since the Agency was launched, it promoted the development of horticulture over swidden cultivation, established some Purchase and Sale-Fair price Shops to purchase produce from the Dongria Kondh and sell items of daily necessity to them at affordable prices, established primary schools in several villages and coordinated all state level and central welfare schemes to build essential infrastructure like roads, conducting health camps and reviving traditional weaving skills. It also had a small team of Multi-Purpose Workers who stayed in different Dongria Kondh villages of the project area.

As of today, the DKDA covers only 101 Dongria Kondh villages. The Chatikona agency has 61 villages in Muniguda and Bissamcuttack blocks while the Parsali agency has 40 villages in Kalyansinghpur block of Rayagada district under its jurisdiction. Officially, the DKDA maintains that there are no Dongria Kondh villages in the Kalahandi district³². The agency prepares a micro-plan (a five year plan) according to which

'developmental activities' are carried out in the project villages. The Welfare Extension Officer stressed that activities to be taken up for the following year are decided at *palli sabha*³³ meetings of the villages. The DKDA then coordinates with different state departments to plan out the activities on the ground. The plan is sanctioned through the District Collector.

Currently the DKDA is carrying out extensive horticultural expansion by providing seedlings of pineapple, orange, turmeric and ginger. The Welfare Extension Officer stressed that most Dongria Kondh villages in the Bissamcuttack block giving up swidden cultivation to take up horticulture plantation was an 'achievement' for the DKDA. The DKDA also helps women self help groups, who are mainly engaged in making hill brooms and collection and sale of Non-Timber Forest Produce like *Siali (Bauhinia Vahili)* leaves, tubers etc by financing these efforts through providing loans which are subsidized and by linking them to markets. Through the Tribal Development Co-operative Corporation of Odisha, it takes up occasional activities like training for weaving traditional shawls, etc.

The DKDA had in its initial years started primary-level schools in a handful of Dongria Kondh villages in the hills. According to the District Collector of Rayagada, 28 of these schools are still

28. Identified in 1973 by the Debhar commission as Primitive Tribal Groups and renamed PVTGs in 2006, these were communities who were thought to be less 'developed' than other tribal communities due to their homogenous, stagnant or declining population, relative physical isolation, use of simple technology primarily for shifting cultivation and gathering forest produce and very low literacy.

29. (Nayak, 1988)

30. The sub-plans were introduced as a strategy to develop the socio-economic status of scheduled tribes in India. The plans channelise the flow of funds and benefits from Central Ministries and Departments for the development of Scheduled Castes and Scheduled Tribes.

31. (Upali, 1994)

32. In conversation with Bhagirathi Sahoo, Welfare Extension Officer of Chatikona DKDA. According to him, the Kalahandi region is managed by the Kutia Kondh Development Agency.

33. Also the gram sabha, this is the village assembly consisting of all adults within a village. However, at times the gram sabha consists of an assembly of several villages. Here it means the actual meeting of the assembly to discuss matters of importance to the village.

functioning with more than 800 children enrolled³⁴. Both in Chatikona and Parsali, the DKDA funds residential schools for Dongria Kondh girls run by the Odisha Model Tribal Education Society. The schools function till class nine and have enrolled around 250 girls in each. The proposal to open similar residential schools for boys have been approved³⁵.

In addition to this, the DKDA and other departments also claim to be conducting regular health camps in some villages.

3.3 THE MINING PROPOSAL

In 1997, the State of Odisha signed a Memorandum of Understanding (MoU) with Sterlite Industries (now Sesa Sterlite, the Indian arm of the global mining behemoth Vedanta Corporation) for setting up an

aluminum refinery in Lanjigarh block of Kalahandi district and opening up of the Niyamgiri hills for mining to supply bauxite to the refinery³⁶. By June 2002, the first phase of land acquisition for the refinery had already started and by mid 2006, the refinery had started functioning. The opposition to the factory also began almost immediately. Despite this, the refinery was built illegally, circumventing various environmental laws as well as laws for the protection of these communities³⁷. At the same time, many activists continued the struggle by filing writ petitions in the High court and Supreme Court against the project, which played a role in deferring the forest clearance required for the mine³⁸.



Vedanta Alumina Limited's Bauxite Refinery at Lanjigarh

34. Information provided Shri Jagannath Mohanty (District Collector and District Magistrate of Rayagada) in a reply to a petition (No. 5506 of 2015) filed before the Odisha Human Rights Commission by Dodhi Pusika, Secretary of the Niyamgiri Surakshya Samiti, regarding violation of the human rights of the Dongria Kondh by Rayagada Police.

35. Ibid

36. The Odisha Mining Corporation (OMC) and Vedanta Alumina Ltd (VAL), a subsidiary of Vedanta Resources signed a joint memorandum to develop the mine.

37. (Amnesty International, 2010)

38. Ibid

The struggle against the refinery and the mine resulted in the Supreme Court judgment³⁹ delivered in April 2013, directing the state government of Odisha to hold gram sabhas in the Niyamgiri hills to decide if religious rights were held over forest areas being diverted for the mining project. The state government identified 12 villages from Rayagada and Kalahandi and all the 12 gram sabhas rejected the proposal for mining in the region in meetings held in July and August 2013. On 9th January 2014, the Ministry of Environment Forest and Climate Change (MoEFCC) rejected the final forest clearance to the mining project.

Even after this pronouncement, there have been repeated attempts by the state government to reintroduce the proposal and to start mining in the region. Recently, the state mining corporation filed a petition in the Supreme Court to reopen the mining. The Supreme Court has refused to admit the petition and has asked the government to make the 12 gram sabhas that had earlier rejected the mining, parties in the petition.

4. Articulations and responses of the Dongria Kondh

Although the Dongria Kondh way of life has always been experiencing changes due the increasing interaction with the outside world, the market economy and through state-led interventions of the DKDA, the onslaught of the threat of an extractive industry has brought about stark change in the Dongria Kondh world. Through discussions and conversations with the Dongria Kondh, they have revealed a sharp understanding of their changing society, culture and their natural environment. They also acknowledge that while they have been successful so far in keeping the 'company' in the form of VAL away from mining the Niyamgiri hills, there are other forces that they identify as similar to the company, that are rapidly changing their way of life. We have attempted to articulate these changes and their effects on the Dongria Kondh society, culture and interactions with their natural and spiritual environment.

39. (Supreme Court of India, 2013)

4.1 ON NATURE, CULTURE AND IDENTITY

*Niyamraja created fruits in the hills, grains in the plains
He is the first of the Dongria Kondh
No one knows his story, lakhs of people are unaware
I will sing, I will sing why the outsiders must spare our land
After making pineapple, mango, jackfruit and grains
Niyamraja said to us 'live on what I have given you'
Niyamraja decided where there would be fruits and grains
Which seed will be soft and which one would be hard.
What will we do without the fruits, grains and buffaloes,
What will we do without Niyamgiri...
What will the animals do without the big forests,
What will we do without the plants that save lives.*

-From the lament of Niyamraja, sung by the late Dambu Praska

(Source: <http://www.cultureunplugged.com/play/57/The-Lament-of-Niyamraja>)

All the Dongria Kondh we spoke to reiterated that *everything* within their world belongs to Niyamraja, and Niyamraja *is* everything. Through the years of the struggle, they have been articulating their interdependence with the Niyamgiri hills. Several reports show that they consider their way of life allied to the 'sacred law', as prescribed by Niyamraja which disallows unsustainable exploitation of the forest and the land at the behest of greed; theirs is what Padel calls an 'economy of restraint'.⁴⁰

They refer to Niyamraja as provider and keeper of the forests. Alongside Niyamraja, the most important deity is *dharani penu* (earth goddess). The entire cycle of sowing and harvest is controlled by *dharani penu* who is to be revered before and after the farming season. Natural elements, water, stones, rocks, animals are all thought to

have a soul, which is to be revered. Thus, the polytheist, animist belief is guided by the proximity to the moods and rhythms of nature, commanding respect for and co-operation with natural forces. This is reflected in the way of life practiced by the community and in their socio-cultural relationships. The Niyamgiri hills, abode of Niyamraja are thus entirely sacred, and the daily practices of life, habitation and subsistence are thus deeply integral to the sacred life-giving capacity of Niyamgiri.



Harvest time in fields

"After 10 years or more, I see us as what we are today. We don't want change. Change will mean that everything will be lost-our culture, our language. Some people are stepping out to study, but when they come back they've lost everything. What is a man without an identity?"

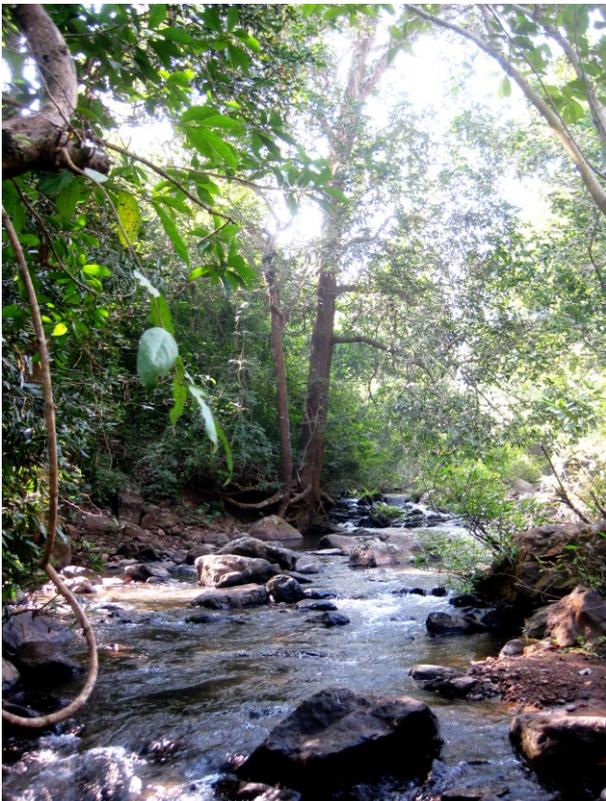
"See what has happened in Lanjigarh. When the company (VAL) was not there, the 'Kui' folk (Kutia and Desia Kondh communities inhabiting the foothills of Niyamgiri) were like us, we lived like brothers. You could identify them as Kandha (Konds). But when the company came, everything changed. Land was lost, culture was lost, and identity was lost. Now, they are labourers. They were kings, owners over their own land before. Now you cannot make out who is pano, who is kandho, everything is mixed. What is the use of that kind of development? We will at the end become labourers. Now, they are opposing us Dongria. The brother is opposing the brother."

~Lado Sikaka (Lakhpadar village, Leader, Niyamgiri Suraksha Samiti)~



40. (Survival International, n.d)

Losing Niyamgiri has been likened by many Dongria Kondh to losing their *identity*. The Dongria Kondh culture and identity is intricately linked to them being Niyamraja's kith and kin. The name *Dongria* is an Odiya term for *people of the hills*. But, the Dongria identify themselves as *Jharnia*, the protectors of the many streams of Niyamgiri. This deep belief of being guardians is manifested through their unique forest management techniques employed in the agricultural practice. The trees at the top of the hills are never cut, since they consider these to be the abode of the pantheon of gods and goddesses, and these are also the origins of streams and protect the loss of soil and water during the monsoon.



One of the perennial streams of Niyamgiri hills

While we were at Niyamgiri, we were told that they cultivate over 20 varieties of millets on their *podu* fields, apart from lentils and oilseeds. In the 1970s, they were introduced to horticulture and have started growing pineapple, oranges, lemons, and bananas on a large scale, which they sell in the markets⁴¹.



Women carrying bundles of Siali (Bauhinia vahili) leaves to sell in the market

They believe that this bounty is provided by *dharani penu*, the earth goddess, who must be worshiped before sowing and after harvesting the crop. Before sowing all the villagers bring their seeds to a *kutumba* gathering where the *bejuni* offers these to *dharani penu*. They also collect a variety of forest produce including *siali* leaves (*Bauhinia vahlii*), bamboo shoot, wild ginger and turmeric, mushrooms and tubers, a variety of green leafy vegetables and fish and mollusks from the numerous streams; this included till recently, several hundred wild foods (see Section 'On changes in the way of life' regarding decline in the diversity being used, below). Some of these are sold. The community practices traditional forms of healing, with herbs and other substances available in the forests. The community has traditional healers who have a deep knowledge of nature cures. In Niyamgiri, as is the case in almost all tribal tracts, livelihoods and culture are thus intricately linked to and inseparable from nature; a trait of the submission to and management of hill dwelling tribes of their natural terrain.

41. (Nayak, 1988)

4.2 ON TERRITORY

The Dongria consider the whole of the Niyamgiri hills to be their territory, presided over by Niyamraja. Traditionally, the Dongria Kondh territory was divided into distinct geo-cultural landscapes called *padars* belonging to each clan. However, with independence, much of the area of the Niyamgiri hills has been classified as reserved forests, without the actual process of 'settlement' of rights being carried out. Due to this, there are no clear tenurial rights over the forest. In this context, juxtaposed with the struggle against the mining of the Niyamgiri hills, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Forest Rights Act or FRA)⁴² emerged as a strong tool with which the community could articulate their identity and way of life as being linked inextricably to Niyamgiri and the forests of Niyamgiri. In the landmark judgement of April 2013, the Supreme Court hailed the provisions of the FRA and upheld several constitutional provisions regarding the protection of schedule tribes in Indian law. The court

pointed out that the religious and cultural rights of the Dongria Kondh as recognized under the FRA, were not put before the community over the land to be mined for bauxite, for their 'active consideration'. Thus, it ordered the state of Odisha to place these issues before the Dongria Kondh⁴³. In July and August 2013, gram sabhas were organized in 12 villages of Rayagada and Kalahandi districts by the state, and all the 12 villages rejected the mining proposal. Prior to the *palli sabhas*, in 2013, the Odisha state government illegally⁴⁴ prepared a report of the community claims over minor forest produce, grazing land, *podu* fields etc. The reports were placed before the villagers during the *palli sabhas* ordered by the SC. The villages however, rejected the community claims and individual claims over minor forest produce, grazing land and *podu* fields that were placed before them. This was because the claims over land and resources put forward by the officials were divided, classified and measured into measured categories like grazing land, sacred spots, streams.⁴⁵



Boy guarding the podu field

42. The FRA was enacted to address the longstanding need to recognise and vest rights over forest land in forest dwelling scheduled tribes and other traditional forest dwellers whose rights over their land, livelihoods and territories were severely curtailed as a result of increasing state control over forests as well as developmental and conservation activities. The Act recognises a range of forest rights over individual and community occupation of forest land for habitation and self cultivation and collective rights over forests. For groups classified as particularly 'vulnerable' like the Dongria Kondh, it reserves the habitat right provision, through which communities' rights over a habitat can be recognised.

43. (Supreme Court of India, 2013)

44. Claims towards forest rights are to be made by the village gram sabha by electing a committee within its members.

45. (Bera, 2013).

'If the government was ready to give rights to the company over the mountain, then why not to Niyamraja? We want the title to the entire Niyamgiri hill ranges, spreading over Kalahandi and Rayagada, to be in Niyamraja's name.'

~Dodhi Pusika, Gorota village~



In 2010, just after the Saxena Committee visit⁴⁶ some individual titles were distributed in the villages through the DKDA⁴⁷. However, titles shown to us in Gorota and Sanodenguni villages were over mere 2.4 acres of land and had a 'provisional' stamp on it, showing that the titles distributed were not final. At Gorota, the elders expressed their dissatisfaction with the individual and community claims put forward by the Government on their behalf. The elders and community members expressed their dissatisfaction at the extent of land over which they were given titles since receiving titles over parcels of land and resources in the name of individuals or villages is completely in contrast to the way the hills and resources are viewed by the Dongria Kondh. The relevance of such titles for the Dongria Kondh communities' swidden cultivation practice is also questionable, since the practice requires access to large areas over which the *podu* cycles can be carried out, whereas giving small plots of fixed land would force them to convert to settled agriculture. Additionally, providing individual rights over the *podu* fields might also lead to individualization of an essentially

collective practice, since customarily *podu* patches are assigned through the *kutumba* periodically and do not permanently belong to a family or individual but to a clan. Further, in Gorota, one of the leaders also claimed that Niyamgiri belonged to Niyamraja and not to the Dongria Kondh alone. There were other communities dependent on the resources as well⁴⁸. The Domb community co-resides this habitat with the Dongria Kondh in the Niyamgiri hills. The community has actively joined the Dongria Kondh community and are part of the Niyamgiri Surakshya Samiti. Although most do not own land or practice swidden, they are an integral part of the socio-cultural fabric of the Niyamgiri hills. The plains dwelling Kutia and Desia Kondhs are also use the forests of the foothills. This shows that the Dongria Kondh are aware of the dependence of other communities on the forest resources in Niyamgiri and therefore claiming community rights for individual Dongria Kondh villages could lead to tensions with other communities.

46. A four member committee headed by Dr. N.C.Saxena, constituted under the Ministry of Environment Forest and Climate Change, set up to investigate the ecological and social costs of mining in the Niyamgiri hill ranges, investigated the progress of recognition and vesting of rights under FRA and the impact of mining on wildlife and biodiversity in Niyamgiri.

47. Interview with DKDA officer and discussions with community members.

48. (Tatpati, Nayak, & Mishra, 2015)

In February 2014, meetings were held with Dongria Kondh elders and community leaders about the provisions of the FRA for a study commissioned by the Ministry of Tribal Affairs, the nodal agency for the implementation of the FRA⁴⁹. In these meetings, as articulated before, the community asserted that the entire hill range belonged to Niyamraja and any title over the territory should be given in the name of Niyamraja.⁵⁰

4.3 ON 'DEVELOPMENT'

Apart from the DKDA, governmental schemes like the low-cost rice distribution under the Public Distribution System (PDS), the *Indira Awas Yojna* for housing, women self-help groups and Mahatma Gandhi National Rural Employment Guarantee Scheme (MNREGS) have also been operational in the area.

However, the Dongria Kondh revealed, and our preliminary observations indicated that the conceptualization and implementation of these schemes and developmental plans have been at odds with the way of life of the community. The community revealed that all these works are coordinated by the *gram panchayat*. As already stated, one *gram panchayat* consists of several Dongria Kondh villages and other villages from the plains.



Plaque announcing concrete road constructed by the DKDA

The post of the *sarpanch* (elected head of the panchayat) has mostly been occupied by members of other communities from larger villages. This is primarily due to the fact that the Dongria Kondh rarely attend panchayat meeting since they are in a minority in the meetings. Traditionally, the Dongria Kondh have the *kutumba* within the village which functions as an institution which decides and regulates almost all matters of the Dongria Kondh life. The Dongria Kondh also revealed that the elected *sarpanches* yield considerable political clout and they are able to control the funds and decision-making process. The NSS has been successful in gathering enough support to politically assert their rights and elect some people from the community as *sarpanches* in a couple of gram panchayats. However, for most in the community, engaging with the gram panchayat means interacting with corrupt officials who may not have the interests of the community in mind.

Most Dongria Kondh the team met were critical of the role of the DKDA. In most of the villages, the schemes carried out by the DKDA are not done in consultation with the village. The DKDA distributes solar lamps, builds concrete roads in some villages,



Solar lamp at Serkapadi village

49. The meetings were held by a civil society group called Vasundhara with the community elders.

50. Recognising that the protection of their land and resources is therefore critical to the survival and dignity of PVTGs, Sec 3(1) (d) of the FRA provides for 'recognition of rights over community tenures of habitat and habitation for primitive tribal groups [Sec 3(1) (e)] and pre-agricultural communities'. The Act recognises the traditional institutions belonging to these communities and the diversity of their land use practices. The recognition of rights over the customary territories used for habitation, livelihoods, social, economic, spiritual, cultural and other purposes will therefore allow these communities to manage and plan for the areas under their customary habitation.

distributes seedlings for horticulture. But these are not available in all villages and there is no follow up regarding these 'distribution' activities once they are done. At Sakatta village, we spoke to a few women about the role of the DKDA in 'enhancing' their livelihoods. They revealed that the DKDA had conducted training and provided the women with threads to weave the traditional shawl. The training was however left incomplete and the scheme folded up in only six months time.

DKDA officials on their part claim that they have helped the Dongria Kondh with several livelihood activities, including enhanced incomes from shawl-making and horticulture. We were able to take a look at a draft plan for the Dongria Kondh's development for the years 2015 through 2020, which the officers said was prepared in consultation with the adivasis at *palli sabha* meetings, a claim that the Dongria Kondh elders outrightly disputed.⁵¹ DKDA officials admitted that they had no plans for enhanced use of or building on the adivasis' traditional medicinal knowledge, or encouragement of traditional crop diversity; they did however want to help in "conservation of culture" which for them meant making a traditional puja place, cementing the mud structures,

and providing an asbestos roof. In the plan, shifting cultivation has still been described as ecologically damaging that needs to be stopped and regular fixed farming needs to be fully perpetrated, completely undermining the nutritional benefits of the crops cultivated on the *podu* fields as well as the natural regeneration of forests that takes place, which according to the Dongria Kondh provides for lean months due to the availability of other edible forest produce and food for wild animals like elephants that occasionally pass through the fields.

The Dongria Kondh women, youth and elders are vocal about the need for education. However, while at Niyamgiri, we observed school rooms in Gorota and Dhamanponga villages that were built by the DKDA nearly 25 years ago but which are not in use anymore. In Dhamanponga, the community revealed that the school was operational till about 2 years ago, but was shut down when the school teacher, a non-Dongria, left. This refutes the charge made by the District Collector that 28 schools are operational inside the Niyamgiri hills. The Dongria Kondh believe that many of these schools remain non-functional due to the lack of dedicated teachers who are unwilling to stay in 'remote' locations inside forests.



School in Gotota village being uses as a storage shed

51. When we asked for a copy, we were told it is a draft still to be approved by the District Collector, and not yet available for public distribution.

Views of the Dombs

The Domb community is as critical of the government and as unwelcoming of 'the company' (VAL) as their adivasi co-residents. Boli Karkariya, a member of the youth-wing of the NSS also told us of the time he was jailed on false-charges while protesting against the mining proposal.

They are however, more in touch with the outside market, their cultural values and aspirations tuned more to the external world, and are thus somewhat more welcoming of state welfare activities. This could be due to the fact that the community revealed through discussions, a sense of being neglected by the State in providing meaningful welfare schemes and employment opportunities to the community. Their articulations on development are fairly similar to those of the Dongria Kondh, but with subtle differences. The community has seen large-scale migration of youth from the villages to cities to earn a living. The community usually played the role of middle-men between the Dongria Kondh and plains settlers, selling produce from the Dongria Kondh to outside markets. The salap (palm-toddy) trade is usually controlled by this community. However, with the Dongria Kondh increasingly interacting with the outside market, the means of livelihood in this community is changing. Some have purchased land from the Dongria Kondh but are unable to meet the annual requirement of food grains.

These articulations need to be considered by both the communities for a sustainable future in the hills.



The Domb settlement of Sanodenguni village

There are state government schools and DKDA run residential schools in Chatikona and Parsali, but very few children go to school. From the children that do go to the schools, the community revealed that many literally 'run-away' because they do not like being away from their parents and Niyamgiri. They do not understand and cannot relate to the syllabus since the medium of instruction is Odiya as opposed to *Kui*, the kondh language. The parents feel that education and literacy were important as it would help them in their dealings with the

world outside Niyamgiri, but sending the children away for school would also mean that an entire generation of Dongria Kondh would not learn the Dongria Kondh way of life, being alienated from forests and their parents' livelihoods. They were quick to point out that they would prefer if schools were located at central locations inside Niyamgiri which children from the surrounding villages could attend. They would prefer schools to have *Kui* as the medium of education and the curriculum more suited to the way of life at Niyamgiri,

and teachers to be Dongria Kondh or other *adivasi* teachers, sympathetic about their ways and everyday struggles.

Most young Dongria Kondh men the team interacted with were vocal about the need for energy. The Dongira Kondh usually use kerosene to light lamps at night. The Dongria have realized that kerosene is becoming more and more expensive and they do feel a need for street lights and lighting in their houses. However, they are emphatic about using solar and not grid electricity. This they say is due to the fact that high-tension wires are hazardous in the dense forest around Niyamgiri. They are also fearful that electric poles would mean big vehicles cutting roads into the forests to ferry the poles, which would in turn make it easy for the state and the company to enter the forests.

The elders were emphatic about large, tarred roads being disastrous to the Niyamgiri forest and their culture. Lado Sikaka articulated, *'We don't have cars. Why is the government so hell bent on giving us roads? God has given us two wheelers-our legs. We can walk and bring whatever we want from our haats and forests. Why should we need roads? With a 10-15 feet road, outside people will come in and spoil the jungle. In our villages we don't lock our doors, we*

don't have locks, our girls roam around freely.' Others told us that if at all roads are to be built, they should be narrow, used only for access by the locals.

The community members that we spoke to were of the opinion that works like creation of soil and water conservation structures that could be used for forest conservation, expansion of solar electricity, day schools inside the hills with both Kui and Odiya being the medium of teaching, rather than towards building community halls, temples and other constructed structures would be of immense help for the community. Thus, it is clear that, well intentioned government schemes have perpetually been at odds with the way of life of the Dongria Kondh due to the lack of consultation and monitoring of these schemes by involving the community in decision-making.

4.4 ON CHANGES IN THE WAY OF LIFE

The Dongria Kondh are aware that to a large extent, money has become a necessary factor to live in the Niyamgiri hills and interact with the outside world. The Dongria Kondh explained that their need for money some



Young boys and girls dancing at a wedding feast

years ago was only for a few essentials such as cloth, salt, oil, weddings, community festivals, etc. They acknowledged that the dependence on money has increased over the years, largely owing to the inflated prices of cloth and other commodities and in some cases to keep up with the increased need for money, young men have started to migrate in search of jobs, while in others, there is an increase in cultivation of cash crops and horticultural produce, and in the sale of firewood to establishments in near-by towns.

Another aspect of the challenges they face comes from the influence of the outside culture and 'modern' living which is increasingly alluring the youth. As discussed earlier, the increasing inroads of the monetary economy has created needs that were not significant earlier. The Dongria

Konds have a complex system of marriage, where bride price plays an important economic and cultural role. It could range from a variety of practices including actual exchanges of valuable commodities from the groom's family to the bride's family, and also service that a prospective groom would provide in the form of working the bride's fields⁵². As money has slowly begun to replace many valuable commodities many Dongria Kondh youth especially men, feel that their families are incurring large debts for paying the bride price. In a wedding ritual we attended, we also saw the reverse practice of the bride's family supplying the girl with dowry. Some members of the NSS are of the opinion that the practice of give and take must stop and marriages should be arranged to stop any practices of bride price or dowry, to prevent the cycle of debt.



A pre-wedding ritual being performed

I see several young men among us who are giving up carrying the axe. The axe is a part of our identity as Dongria. It is a part of who we are. That is how the world recognizes us.

~A Dongria Kond youth in a meeting of the NSS in Gorota village~

52. (Hardenberg, 2005)

There is an increased indulgence in liquor, supplied by outsiders, which is cheaper and often spurious, affecting their health. When we were in Niyamgiri, the NSS was organising series of anti-liquor meetings in which several aspects of the loss of cultural values, the need to revive and stay true to their culture and the need to protect forests were stressed upon by the Dongria elders and youth alike. These anti-liquor meetings were spearheaded by the women in Niyamgiri who had already started making connections on how money that the family earned was gradually being spent more and more on liquor from outside (mostly distilled *mahua* and country liquor) and how friction was being caused by alcohol abuse within the family.

The traditional knowledge on medicines is now slowly being eroded as more people depend upon the outside medical institutions, themselves rather unreliable (and often exploitative). In one village we visited, a rabid dog had bit a boy, and for a long time the villagers were simply waiting for some way to get a doctor or take the boy to the nearby town; when we asked elders in another village about this they said that traditionally they would have had a cure even for most illnesses and injuries, but this was no longer available in every settlement. We were also told by some elders that since the intake of outside food (grown using pesticides and chemical fertilizers) has increased, such as the PDS rice, their bodies to some extent have become impervious to the traditional natural medicines. According to one source, allopathic medicines have played an important role in doing away with to some extent, serious diseases like diarrhea and some pregnancy related complications. In pregnancy and childbirth women are being encouraged through the *Janani Surakhya Yojna* (Scheme for the Safety of the Mother) to deliver in government hospitals. However, that also means that traditional midwives have been replaced, as so has the wealth of knowledge that they provide.

The effects of the bauxite refinery in Lanjigarh have also begun to be felt in the Niyamgiri hills. The Dongria elders believe that the Langigarh refinery that spews smoke is affecting the local climate. Elders also complained of streams drying up and the pollution affecting the weather patterns in the region. Earlier, swidden fields would be on hills some distance away from the village. But, insecurity and harassment at the hands of security forces (who regularly 'comb' the area using the pretext of 'naxalite' activities) has to some extent derailed their traditional patterns of agriculture; since they are loath to wander far now, they have had to increase cultivation of hills near the village, in turn leading to large-scale deforestation. Locals also admit their helplessness at the large-scale felling of trees for sale by both the Dongria Kondh themselves and outsiders as well in nearby markets to meet the need for money. Elders told us that there was an attempt to prevent tree felling by outsiders some years ago by creating protection teams from different villages, but the immediate need to prevent the mining from taking place did not allow the community to take this forward .



We're worried about the forests. We see that they're decreasing. But we also need money and if we don't sell wood, how will we get money? That is why people are selling more wood in Muniguda. We're worried, yes.

~Kochadi Sikoka, Denguni village~



Dongria Kondh women carrying wood to sell in Muniguda

Easy access to certain 'goods' and 'services' through government schemes has begun to change their way of life. Rationed goods, especially rice through the Public Distribution System has changed their food consumption pattern, away from millet production and consumption, which they have been self-sufficient in.

According to one source⁵³, the Dongria Kondh once had 45 to 50 varieties of millets, now they are down to less than 10, due to completely stopping or reduced cycles of shifting cultivation, increase in cash cultivation, and partial replacement by rice. This and a gradual reduction in consumption of wild forest foods, could also be leading to nutritional deficiencies, which are becoming apparent in villages closer to the towns

Government rice is changing people. It is making us greedy.

~Mandi Kadraka, Jani of Dhamanpona village~

compared to those deeper in the forest.

Several elders and community members told us that ever since the refinery went into operation in 2002, the active local opposition to the refinery and the mines has heightened the presence of para-military and police personnel. They say that the Central Reserve Police Force has been playing a major role in intimidating the community, restricting its members' movements and disrupting the communities' way of life. Such threats are intertwined with all aspects of their lives.

53. Personal conversation with Susanta Kumar Dalai from Vasundhara, Odisha.

Since early 2015, the government of Odisha under the agenda of anti-maoist enquiry has been using the para-military and the local police force against the Dongria Kondh. Three serious cases of police atrocities and unlawful arrests have emerged. On the 28th of November 2015, Drika Kadraka of Dhamanponga village, a member of the NSS committed suicide after being repeatedly picked up and tortured by the local police. On the 27th of February this year, during the annual gathering of the community to celebrate the Niyamraja *parab* (Niyamraja festival), Mando Kadraka, a 20 year old student was murdered in cold blood, allegedly in combat with para-military forces. The state of Odisha is yet to provide any evidence of Mando being involved in any maoist, anti-state activity. On the 7th of April 2016, Dasru Kadraka of Gorota village was arrested from Muniguda town on charges of arson, murder, attacking para-military forces during combing operations⁵⁴. Such threats and coercion of the community with a population of less than ten thousand people raises serious doubts as to whether it is being purposely done to break their continued resolve to oppose the mining of the Niyamgiri hills and fragment their movement.

5. Conclusion: Moving towards facilitating informed pathways into the future

There is no doubt that the Niyamgiri hills are alive and verdant today because of their wise and restrained use by the Dongria Kondh community. The reverence towards their natural surrounding is evident in their livelihoods, practices, culture and identity. The values of solidarity and sharing in relations amongst humans, of restraint and self-regulation in relations with the rest of nature, are still evident. However, the welfare state and the market economy (often intertwined) are

slowly creeping into the Niyamgiri hills, with a host of impacts that could undermine the way of life, without necessarily providing a viable alternative. The Dongria Kondh are beginning to perceive these threats, but in the face of the growing pressure for reopening the mining proposal, and the continuation of culturally inappropriate welfare schemes, the need to have a dialogue on the implications of 'development', and on possible responses to it including alternatives for well-being, within the community has become very urgent. As of now the community does not have too many of its own sources of information on the choices available to it, and the implications of these choices.

If the government is serious in its commitment to protecting the interests of *adivasis* and in particular PVTGs, as it is constitutionally mandated to do, it is imperative for it to support the community in asserting its rights over the hills, and in enhancing livelihood options based on their ecological, cultural, and knowledge roots. The Niyamgiri Surakshya Samiti too needs to engage itself in facilitating such a process, in addition to the immediate (and obviously still critical) role of helping to resist mining proposals and state repression. There is a need to provide the Dongria Kondh with information needed for an exploration of alternative, more locally appropriate modes of learning and education, healthcare, communication, and livelihoods, building on their own practices and knowledge. It has thus become important, at this juncture, for the government to stop police repression, review inappropriate welfare schemes, announce a permanent halt to mining bids, and to create an atmosphere in which the community can articulate and assert its worldview, and accept or reject changes to its way of life on its own terms with full knowledge of the consequences.

54. While this report went to print, there is no evidence against the alleged involvement of these three members of the community in any of the activities they were harassed for. Dasru is still in custody. See <http://www.countercurrents.org/cc281115.htm>; <http://www.newindianexpress.com/states/odisha/Tribal-Death-in-Encounter-OHRC-Seeks-Report/2016/03/04/article3309170.ece>, and <http://www.kractivist.org/tribals-pitted-against-mnc-in-odisha-branded-maoists-intimidated-abducted-killed/> for information on these cases.

REFERENCES

- Amnesty International. (2010, February). *Don't mine us out of existence: Bauxite mine and refinery devastate lives in India*. Retrieved January 2, 2015, from Amnesty International: <http://www.amnesty.org/en/library/info/ASA20/001/2010/en>
- Bavikatte, K., & Jonas, H. (Eds.). (2009). *Bio-Cultural Community Protocols: A Community Approach to Ensuring the Integrity of Environmental Law and Policy*. South Africa: United Nations Environment Programme and Natural Justice.
- Bera, S. (2013, July 31). Niyamgiri in bits and pieces. *Down to Earth*. Available at: <http://www.downtoearth.org.in/news/niyamgiri-in-bits-and-pieces-41704>
- Fiagoy, G. (1988). The Chico River Dam and Beyond: The Cordillera People's Struggle for Self-Determination. In R. Singh (Ed.), *Dams and Other Major Projects: Impact and Response of Indigenous People* (pp. 7-20). Hong Kong: CCA-URM.
- Gill, K., Bhattacharya, R., & Bhattacharya, S. (2015). *The political economy of capitalism, 'development' and resistance: The state and adivasis of India*. New Delhi: Oxfam India.
- Hardenberg, R. J. (2005). *Children of the Earth Goddess: Society, Marriage and Sacrifice in the Highlands of Orissa*. Westfälische Wilhelms-Universität.
- Hill, G. (2011, August 12-15). *Grassroots Gathering to Resist the Proposed Pipelines: Report Back from Unist'hot'en Gathering, Wet'suwet'en Territory*. British Columbia, Canada. Available at: http://vancouver.mediacoop.ca/against_ptp
- Jena, M. K., Pathi, P., Dash, J., Patnaik, K. K., & Seeland, K. (2002). *Forest Tribes of Orissa: The Dongria Kondh* (Vol. 1). New Delhi: D.K. Printworld (P) Ltd. .
- Kothari, A. (a). (2014, June 27). *Degrowth and Radical Ecological Democracy: A View from the South*. Retrieved June 2, 2016, from Degrowth: <http://www.degrowth.de/en/2014/06/degrowth-and-radical-ecological-democracy-a-view-from-the-south/>
- Kothari, A.(b). (2014, July). *Radical Ecological Democracy: A Path Forward for India and Beyond*. Retrieved May 24, 2016, from Great Transition Initiative: <http://www.greattransition.org/publication/radical-ecological-democracy-a-path-forward-for-india-and-beyond>
- Kothari, A., & Das, P. (2016). Power in India: Radical Pathways. In N. Buxton, & D. Eade, *State of Power 2016* (pp. 183-202). Amsterdam: Transnational Institute.
- Kothari, A., Demaria, F., & Acosta, A. (2015, July 21). *Sustainable development is failing but there are alternatives to capitalism*. Retrieved January 23, 2016, from The Guardian: <http://www.theguardian.com/sustainable-business/2015/jul/21/capitalism-alternatives-sustainable-development-failing>
- Manda, D. S. (2009, March 14). *Ubuntu philosophy as an African philosophy for peace*. Retrieved May 6, 2016, from AfricaFiles: www.africafiles.org/article.asp?ID=20359
- Nayak, P. K. (1988). Tradition and Development in Tribal Orissa: A Case Study of the Dongria Kondh Development Agency. In Sachchidananda, B. B. Mandal, K. K. Verma, & R. P. Sinha, *Tradition and Development* (pp. 79-94). New Delhi: Concept Publishing Company.
- Supreme Court of India. (2013). *Orissa Mining Corporation Versus Ministry of Environment and Forest and Others*, Writ Petition (C) No. 180/2011 (Supreme Court April 18, 2013).
- Pachamama Alliance. (n.d.). *Sumak Kawsay: Ancient Teachings of Indigenous Peoples*. Retrieved February 27, 2016, from Pachamama Alliance: <http://www.pachamama.org/sumak-kawsay>
- Sarmiento Barletti, J. P. (2011). *Kametsa asaiki: The pursuit of the 'good life' in an Ashaninka village (Peruvian Amazonia)*. University of St. Andrews.
- Saxena, N.C., Parasuraman, S., Kant, P., & Baviskar, A. (2010). *Report of the four member committee for investigation into the proposal submitted by the Orissa Mining Company for bauxite mining in Niyamgiri*. New Delhi: Ministry of Environment and Forests: Government of India.

- Shodhganga. (n.d.). *The Kondh Tribe: Their Culture and Education*. Retrieved from Shodhganga: http://shodhganga.inflibnet.ac.in/bitstream/10603/15135/6/06_chapter%202.pdf
- Survival International . (n.d.). *Interview with Dr. Felix Padel*. Retrieved December 17, 2014, from Survival International: <http://www.survivalinternational.org/articles/3322-interview-with-felix-padel>
- Tatpati, M., Nayak S K., & Mishra, R. (2015, May 26). The Dongria Kondh Habitat: Securing tribal rights means understanding them first. *Indiatogether*: <http://indiatogether.org/articles/dongriakondhsecuringtribalrightshumanrights/>
- Print
- UN. (2008, April 30). *Indigenous peoples face growing crisis as climate change, unchecked economic growth, unfavourable domestic laws force them from lands*. Retrieved February 3, 2016, from United Nations: <http://www.un.org/press/en/2008/hr4951.doc.htm>
- UNDSPD. (n.d.). *Indigenous Peoples and Industrial Corporations: Factsheet*. Retrieved from United Nations Division for Social Policy and Development: Indigenous Peoples: http://www.un.org/en/events/indigenousday/pdf/Indigenous_Industry_Eng.pdf
- Upali, A. (1994). *Culture and Development: Dongrias of Niyamgiri* (Vol. 167 Tribal Studies of India). Inter-India Publications.
- Vasundhara. (2006). *A brief report on Ecological and Biodiversity Importance of Niyamgiri Hill and Implications of Bauxite Mining*. Bhubaneswar: Vasundhara.
- Wagan and Jagalingou Family Council. (n.d.). *Stop Adani destroying our land and culture*. Retrieved May 11, 2016, from Wagan and Jagalingou Family Council: <http://wanganjagalingou.com.au/orf-fight/>
- Watts, M., Marti, S. (Producers), Watts, M., & Marti, S. (Directors). (2015). *Life Plan (Plan de Vida): Territories of Life* [Motion Picture].
- World Rainforest Movement. (2006, February). *Brazil: Follow-up of the Tupinikim and Guarani struggle against Aracruz Celulose* . Retrieved from World Rainforest Movement: <http://www.wrm.org.uy/oldsite/bulletin/103/Brazil2.html>