

# Land Entitlement and People's Movement in Odisha- A Case Study of Balarampur Village

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## **Abstract**

During the post- independence era the mineral rich State Odisha has focused on its economic development through providing water for irrigation, harnessing mineral resources, establishment of different industries etc. But for the purpose land acquisition is a primary requisite which is resulted in large-scale dispossession of land, homesteads, forests and also alleged that the developmental flow is pooled with denial of livelihood and human rights. Thus protests against the land acquisition started for different projects from different corners of Odisha which underlies with the people's perception and emotional attachment to those lands. The protests were not only for their land but also for their livelihood and traditional way of living which they fear to be under threat. The major concern of the poor people in land acquisition process is that the land which they enjoyed for generations as a hereditary asset will go permanently out of their hands. In this context Odisha has a long history of people's movements but movement of inhabitants of Balarampur village under Dhenkanal District is unique and acknowledged as an accomplishment of people's struggle. Thus current paper throws light on the resistance and repression in Balarampur village against Industrial Project for the unrecorded title of people over the long years of nurture of forest. This enlightens how the land acquisition is to be looked by both Government and project proponent from People's perspective to bring a support from people than oppose the Growth. In addition, it should also be made to understand how the economic benefit out of the Industrial growth should encourage people to realise the benefit to them will be more than from their traditional livelihood.

**Key words: Displacement, Livelihood, Common Property Resources, People's Movement, Land Rights**

*Declaration: The paper contains views of the author not the institution*

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## Introduction

Odisha is a resource rich state of India having more than 26 types of minerals, has witnessed a number of development projects in the post-independence era to give a shape to its economy through providing water for irrigation, harnessing mineral resources on commercial basis, establishing different industries etc. It is also argued that the development projects have generated employment avenues for the unemployed and poor through industrialisation and utilization of mineral resources and promoted economic growth of the state. However, it is a fact that industrialization has resulted in large-scale dispossession of agricultural land, homesteads, forests and also alleged that the developmental flow is vitiated with denial of livelihood and human rights. Different studies on displacement and deprivation have been conducted in Odisha show that displacement is high due to massive land acquisition which includes forests and other Common Property Resources. The resultant loss of social networks and cultural identities have worsened the trauma of the displaced people.

Studies also reveal that about 62 million hectares of land has been acquired since 1950 to 1993 on account of various development projects displacing/ affecting 81,176 families. These projects include large irrigation dams, hydroelectric projects, open cast and underground coal mines, super thermal power plants and mineral-based industrial units as shown in the table- 1 which indicates about the magnitude of impact by the developmental projects not only on livelihoods but also causing environmental, social, economic and cultural losses to the affected/ displaced people and repelling them into a traumatic condition.

***Table-1 Development Projects since 1950- 1993***

Sl. No.	Type of Projects	Total land acquired in Ha	No of villages Displaced/ affected	No of Families Displaced/ affected
1	Mines	2427.03	79	3143
2	Industries	21963.00	113	10704
3	Thermal Powers	3155.31	73	2426
4	Irrigation and Hydro power (dams)	595918.60	1181	64903
<b>Total</b>		<b>623463.94</b>	<b>1446</b>	<b>81176</b>

*Source- Balaji Pandey, 1998*

Besides Official data shows that due to developmental projects during the period 1947-2000 about 14,65,909 people were displaced or affected in Odisha (Lok Sabha Secretariat,2013). According to the Niti Ayog SDG India Index Baseline Report, Odisha ranks second position having 32.59% population with below poverty line against the national average of 21.92 % as of 2011-12. It is a fact that most of these BPL families' livelihood centres around the common property resources (CPRs) like collection of forest products, pasture and grazing of cattle, water bodies etc. With such type of land acquisition for the development projects, the affected or displaced people who were depending on that land loses their livelihood as well as their customary and usufructuary rights over those common properties and territorial sovereignty forever when, the compensated value goes to the State by the Project Implementers. On the other hand the people who are dependent on that resources are left without any compensation for their subsistence of life. Often, the affected people face untold sufferings that can only be understood when detailed investigations are conducted. It is largely accepted that there is a gap between Policy and its implementation.

Further data on diversion of forest areas released for non-forest use under forest (conservation) act 1980 shows that up-to June 2001 for sake of 217 development projects 25,343 ha of forest area were diverted out of which major portion diversion i.e. 10,631ha (about 42%) was for establishment of industrial and mining projects (Padhi and Panigrahi,2011). This also indicates about the vulnerability of the people who depends on forest for subsistence of life in terms of food security.

Due to rich minerals Odisha has attracted a huge investment from the private sector in the mining and mineral based industrial sector. As per 1999-2000 records, the mining leases in Odisha are only 7 percent of the total leases in India but the area under lease is around 16 percent of the total lease area of the country. An overwhelming majority of mines in Odisha are open cast mines naturally effecting displacement and environmental pollution including land degradation. Table-2 mentions about the area under acquisition in some mining and industrial ventures in the state.

**Table-2 - Land Acquisition in Some High Profile Mining/Industrial Ventures in Odisha**

Sl. No.	Name of the project	Area acquired (acres)
1	POSCO Steel Plant	4100
2	Kalinga Nagar Complex	13000
3	Mahanadi Coal Field Ltd., Talcher	13610
4	Arcelor –Mittal Steel Plant	8000
<b>Total</b>		<b>38710</b>

*Source- UNDP Status Report, 2008*

In the rural and agrarian state like Odisha 75 percent people derive their livelihood from land and ownership of land is used as a yardstick for measurement of poverty. Hence, for food security secure access rights to land as an imperative is acutely important in rural Odisha. For the purpose development focus is shifted to land under food security program. Particularly it is giving emphasis on the landless people who are mostly depending on the common property resource (CPR). Further, without land security, efforts to use natural resources in a sustainable manner may not be fruitful. Hence, attempts were made by the Odisha government to provide land to landless under provisions of land entitlement under different schemes and acts to address the food security measures. In the meantime, availability of huge mineral resources in the state and economy liberalization policy has also attracting more industrialists and companies for investment in Odisha. For sake of growth of national economy emphasis is given on industrialization and land acquisition which plays a major role in infrastructure support for industries; becoming a threat and a major concern for the poor people as land will go permanently out of their hands. In this context the role of Odisha Industrial Infrastructure Development Corporation (IDCO) in land acquisition process for industries is viewed as an agent of the state in order to make a profit out of the transactions. As per the ORSAC report so far, the government has identified 0.64 million ha for the land bank (0.2 million ha for the industrial land bank and 0.43 million ha for land bank under CAF). The district-wise details of land grabbed in the name of future developmental projects (except Nabarangapur) in Odisha is given below in table-3

*Table-3- District wise category of land bank status of Odisha*

<b>Sl. No.</b>	<b>Name of the District</b>	<b>Category A (land immediately available with IDCO) in Acres</b>	<b>Category B (land reserved by district Collector for Industrial use) in Acres</b>
1	Angul	228.53	1866.63
2	Balasore	2569.07	1314.88
3	Bargarh	0	2696.72
4	Bhadrak	882.24	2964.26
5	Bolangir	10.29	1056.94
6	Boudh	2337.05	0
7	Cuttack	1903.65	8588.4
8	Deogarh	444.9	1452.33
9	Dhenkanal	930.92	5743.7
10	Gajapati	63.23	0
11	Ganjam	379.83	338.38
12	Jagatsinghpur	4299.21	1161.68
13	Jajpur	2562.43	3685.53
14	Jharsuguda	1352.53	3251.72
15	Kalahandi	484.38	18342.59
16	Kandhamal	5.51	1052.83
17	Kendrapara	2	1254.816
18	Keonjhar	1445.53	1569.46
19	Khordha	2975.14	33899.2
20	Koraput	5.97	31716
21	Malkangiri	85.87	0
22	Mayurbhanj	20.58	6567.46
23	Nayagarh	0	314.81

24	Nuapada	2	0
25	Puri	126.82	0
26	Rayagada	852.66	0
27	Sambalpur	887.97	3185.33
28	Sonepur	100.92	196.47
29	Sundargarh	395.58	1187.2
<b>Total</b>		<b>25,354.97</b>	<b>1,33,374.88</b>

Source- Web data of Odisha New Opportunity, IDCO (as on 05.09.2019)

The current land status of Odisha indicates that the total geographical area is about 16 crore hectare out of which 58 lakh hectare area is coming under forest and 8 lakh hectare area is Barren. Besides about 5 lakh hectare area is of permanent pasture. The district wise detail is given below in table-4.

**Table-4- District wise current land status of Odisha**

*Area in 000"Ha*

Sl. No.	Name of the District	Geographical Area	Forest Area	Permanent Pasture	Culturable Waste	Land put to non-agri Use	Barren & un-culturable
1	Angul	6375	272	36	19	48	7
2	Balasore	3806	33	16	9	33	10
3	Baragarh	5837	122	20	15	47	20
4	Bhadrak	2505	10	11	11	33	1
5	Bolangir	6575	154	46	18	53	23
6	Boudh	3098	128	17	20	21	12
7	Cuttack	3932	79	11	10	83	10
8	Deogarh	2940	156	5	6	51	6
9	Dhenkanal	4452	174	8	4	42	5
10	Gajapati	4325	247	12	4	12	68

11	Ganjam	8206	315	20	11	21	20
12	Jagatsinghpur	1668	13	7	6	13	13
13	Jajpur	2899	72	4	4	51	5
14	Jharsuguda	2114	20	20	15	39	17
15	Kalahandi	7920	254	23	21	35	57
16	Kandhamal	8021	571	10	14	9	30
17	Kendrapada	2644	25	8	6	49	5
18	Keonjhar	8303	310	20	26	77	93
19	Khurdha	2813	62	5	8	46	15
20	Koraput	8807	188	45	44	54	210
21	Malkangiri	5791	335	21	4	23	38
22	Mayurbhanj	10418	439	28	10	58	16
23	Nabarangpur	5291	246	8	15	44	9
24	Nayagarh	3890	208	4	5	25	6
25	Nuapada	3852	185	2	2	3	2
26	Puri	3479	14	9	3	115	8
27	Rayagada	7073	281	26	22	124	38
28	Sambalpur	6624	363	13	19	38	18
29	Subarnapur	2337	41	13	8	22	12
30	Sundargarh	9712	496	26	16	29	66
	TOTAL	155707	5813	494	375	1298	840

*Source: District at a Glance-2019, Directorate of Economics and Statistics, Odisha Bhubaneswar*

While the land bank mostly has smaller parcels of 200-300 acres suitable for the Small and Medium sized Enterprises, IDCO has plans to make available larger patches (more than 1,000 acres) of land for the large industries by aggregating the private land around the available Government land. A snapshot on the trend of land acquisition for different development projects in last 10 years in the contemporary model of growth in Odisha is also given in table-5. Whereas official data says that near about Rs.1.36 trillion (136417 crore) costs projects have been stalled in

Odisha. According to the available data, Rs. 51,395 crore projects of petroleum and natural gas have been obstructed whereas Rs. 55,563 crore road, transport and highways projects have been stalled in the state. Besides, railway projects of Rs. 12,286 crore, non-petroleum investment of Rs.15,413 crore, health and education projects of Rs.560 crore and tourism and heritage projects of Rs.200 crore have been obstructed. The major issues behind these stalled projects are identified as land acquisition, forest clearance and law and order problem in the state.

**Table-5. Land acquisition status of Odisha**

Sl No.	Year	Sanction of Govt. Land Lease/Alienation of Govt. Land in Acre	Area to be Acquired as per Declaration in 19(1)	Pvt Land Acquired in Acre
1	2008-09	2090.47	NA	NA
2	2009-10	1513.68	NA	NA
3	2010-11	NA	NA	NA
4	2011-12	1102.99	NA	NA
5	2012-13	469.59	NA	NA
6	2013-14	3840.59	NA	NA
7	2014-15	1395.07	NA	NA
8	2015-16	NA	NA	1860.56
9	2016-17	8654.87	NA	NA
10	2017-18	1449.00	3745.369	40701.75
<b>Total</b>		<b>20516.25</b>	<b>3745.369</b>	<b>42562.31</b>

*Sources: Activity Report of R & DM Dept., GoO*

Besides, the information available in the IDCO website on the status of land acquisition/ alienation of land for Non-MOU based projects in Odisha as on August—2017 indicates that there were 161 companies/ industries in the pipeline for investment in Odisha in different sector. For the purpose it was appraised for 55060.251 acres of land for acquisition / alienation for establishment of different industries/ companies whereas, land application received for 51923.410 acres out of which 33455.860 acres of land belong to private land category. IDCO has acquired

21008.974 acres of land out of which 11593.649 acres were private land. The land acquisition issue discussed in the current paper appears under proposed projects in the Dhenkanal district along with the other eleven projects. Details of the status on non-MoU based projects for land acquisition for Dhenkanal district is given below in the table-6. It indicates that the P & A Bottlers Pvt. Ltd. company has applied for 12.86 acres of land whereas Govt. has allotted 12.050 acres of land for establishment of the Industry which was categorised under government land.

**Table-6. Land acquisition/ alienation Status for Non-MOU based projects in Dhenkanal district**

Sl. No.	Name of the project	Location		Requirement as per IPICOL's appraisal / Govt. (In acres)	Extent of land applied (In Acres)		Extent of land acquired/sanctioned (In Acres)		Land allotted (In Acres)	
		Place	Tahasil		Govt.	Pvt.	Govt.	Pvt.	Govt.	Pvt.
1	Bhuvée Profile & Stainless Pvt Ltd	Kurunti	Dhenkanal	55.00	0.00	0.00	0.00	0.00	0.00	0.00
2	Bonai Industrial Company	Kankalu	Dhenkanal	167.00	12.61	154.03	0.00	0.00	0.00	0.00
3	Fee Grade & Co. (P) Ltd	Badamunda	Dhenkanal	153.00	25.04	127.96	0.00	0.00	0.00	0.00
4	Nava Bharat Ventures Ltd	Khadagaprasada	Odapada	82.00	68.17	45.56	13.68	0.00	13.68	0.00
5	NR International Ltd.	Baladiabandh	Dhenkanal	41.90	41.90	0.00	0.00	0.00	0.00	0.00
6	Orissa Manganese & Minerals Ltd.	Shankarpur Sashan	Dhenkanal	235.00	66.01	168.99	0.00	0.00	0.00	0.00
7	Rungta Sons Pvt Ltd	Badamunda	Dhenkanal	255.00	26.20	254.82	0.00	0.00	0.00	0.00
8	Rabirun Vinimay Pvt Ltd	Kurunti	Dhenkanal	52.00	0.00	0.00	0.00	0.00	0.00	0.00
9	Shalivahara Green Energy Limited	Meramundali	Odapada	24.00	9.56	0.00	0.00	0.00	0.00	0.00
10	P&A Bottlers Pvt. Ltd.	Balarampur	Odapada	12.86	12.86	0.00	12.05	0.00	12.05	0.00

<b>11</b>	Taurus Iron & Steel Co.(P) Ltd	Sadasivapur	Dhenkanal	60.00	0.42	59.58	0.00	0.00	0.00	0.00
	<b>Total</b>			<b>1137.76</b>	<b>262.77</b>	<b>810.94</b>	<b>25.73</b>	<b>0</b>	<b>25.73</b>	<b>0</b>

Source: IDCO Web Site (as on 05.09.2019)

The issue of land acquisition raises serious questions regarding controls and rights of individuals and communities over those lands as a whole. Thus, incidents of people's movements or struggles for land rights from different corners of the Odisha like Kashipur, Kalinga Nagar, Jagatsinghpur, Lanjigarh, Baliapal etc has been emerged to safeguard fundamental rights over air, water and environment which were manifested in stoppage of development projects, mining etc. These protests against the land acquisition process for different projects underlies with the people's perception and emotional attachment to those lands. The protests were not only for their land but also for their livelihood and traditional way of living which they fear to be under threat. These movements attracted the attention of policy makers, bureaucrats, academia and activists across the world and forced them to rethink on the approaches and strategies of development interventions. Major reasons behind all these protests are found that though these projects in one hand planned to bring change in country's economy and prove to be boon for a few sections of society but on other hand it will drastically alter the lives of millions of people by displacing them from their natural habitat. Odisha has a long history of people's movements but every people's movement is different and has some unique feature. Most of such movements which was centred against state sponsored Land Acquisition for development and industrial projects has either ended with delay in project commission due to resistance or has not been able to take up due to stiff confrontation.

The movement of the inhabitants of Balarampur village of Odapada Tahasil, Dhenkanal is one among those movements which is acknowledged as an accomplishment of people's struggle. The current paper tries to throw light on the resistance and repression in Balarampur village against the land acquisition of 12.86 acres of land categorised as non-forest land government land for setting up an Industrial Project i.e. beer bottling plant.

## **A snapshot on People's movement in Odisha in Post- Independent Period**

It is well understood from different instances of land acquisition and people's rebellion, that development projects are not only changing the economic scenario of the nation but also impacting millions of people through depriving them from their way of live. For which protest movements are gaining momentum against developmental projects. Record on people's movements shows that there are cases like Narmada Bachao Andolan or Bhopal Gas Pidit Andolan which are continuing for decades against the denial of human rights. Odisha is also having its rich history on fight for right. But the contemporary movements among the people, corporate sector and State in Odisha were basically emerged against the forced acquisition of land for different industries and development projects like Vedant Aluminium Ltd at Lanjigarh, POSCO Steel plant at Paradeep, Kalinga Nagar Industrial Complex at Jajpur, Baliapal National Missile Testing Range at Balasore etc. Particularly the cases are found rampant after 1990s due to the neo-liberal focus of the State on LPG (liberisation, privatization and globalization) which has led to massive violation of human rights to life and livelihoods. In developmental pace to reframe the national economy, the government is becoming more pro-industrialisation and trying to grab more land in favour of corporate houses ignoring people's interest. As a result of which movements are becoming stronger basically for safeguarding the local environment as well as against displacement. Besides the previous cases of inappropriate compensation payment and rehabilitation and resettlement approach are also irritated people to take drastic steps against land acquisition for industries. Some of the contemporary and most remarkable people's movements in Odisha is described below to look back the history and view the current issue in a more pragmatic way.

**Protest against the Kalinga Nagar Industrial Complex:** The State Government planned to develop Kalinga Nagar, located at Jajpur district as a steel hub of Odisha having a capacity to produce 15 million tonnes steel per annum. There were thirteen mineral (iron) based industries within the fold of the complex and for the purpose 13000 ha land was acquired but the compensation package and rehabilitation and resettlement were not calculated in a fairway which

led to dissatisfaction among the people and resulted in loss of life of 12 poor tribal as well as 1 police force. Later the demand of the people fulfilled by the govt. and it is operationalized now.

**Protest against the POSCO-India Steel Plant:** The company has plan to take mining lease of 600 million tonnes of iron ore and signed MoU with the Government on 22th June 2005. For the purpose the State government need to acquire 437 acres of private land (out of 4004 acres of land) by displacing 2000-2500 people/ 471 families of 8 villages under Erasama block of Jagatsinghpur district. But the confrontation of POSCO Pratirodha Samiti was very violent. They developed a bare-foot army of 1200 people to fight against the land acquisition process. There was a clash between the protesters and the supports resulting in loss of life. Finally, the project was scrapped, and the people of the area cheered with joy for grand success. But still the land is not refunded to the RoR holders.

**Protest against the Vedant Aluminium Limited:** The Company signed MoU on 7<sup>th</sup> June 2003 with the Government for mining of bauxite of 195 million tonnes from the Niyamgiri Hill of Kalahandi district. Niyamagiri is well- known as the house of the Dongaria Kondh who are living in the area for generations maintaining a symbiotic relationship with the nature. When the Vedant tried to acquire the land, the people of the area congregated to save the environment and formed Niyamgiri Suraksha Samiti to protect forest, land and water of the area which are subsistence of their life and livelihood. They argued that they have cultural association with the hill and it has a number of perennial streams and source of river Bansadhara and Nagabali. If Vedant will acquire the area there will be depletion of water and environment as well as it will disturb the sanctity and serenity of the area. The movement was so strong that the project closed in December 2012.

**Protest against the Baliapal National Missile Testing Range:** The Ministry of Defence, GoI decided to set up the national missile testing range in 1984 by displacing 55 villages comprising of 50000 people from Baliapal and Bhogarai Blocks of Balasore district. Besides the land of the area are agriculturally rich and multi-cropped land as well as supports the cash crops. It was realised by the people that by establishing defence base the government not only take away their land and means of livelihood but make them refugees on their own land. To keep the locality

intact and protect the environment they submitted number of petitions but the government did not heed to their requests. Thus they formed Uttar Balasore Khepanastra Ghati Pratirodha Samiti and adopted a unique form of protest by boycotting all government works and institutions as well as officials were not permitted to enter into their area. The ideology of Gandhian philosophy like non-cooperation, civil disobedience and Quit India were the base for this unique movement continued for 12 years and at last cheered with success in 1995.

The above instances of right based people's movements in Odisha are strenuous but left footprint for future. All these struggle centre around the livelihood of the inhabitants. In this light the protest of Balarampur village is also for livelihoods of the people and liquor which stands as quite unique and remarkable.

### **Methodology Adopted**

The paper is a descriptive study based on both primary and secondary sources of data. The data/information for this paper was collected from first-hand source through interaction with the villagers of Balarampur village, SHG members, youth of the Baladev Jew Club, leaders of the Gramya Parichalana Parisad and leaders of the movement. The author also interacted with the people of the nearby village to understand the issue from outsider's perspective. Secondary sources include texts, government reports, media reports and the correspondences made for the issue were also collected.

### **The Project**

The contribution of excise revenue to the state and national economy is always in high priority for the planners to bear the social costs. The main source of excise revenue in the state is through imposition of duty/ fee on distilleries/ liquors. As per the 2015-16 data there are 1165 Foreign Liquor 'Off' shops, 429 'On' shops, 16 'On' Clubs, 125 Beer Parlour, 35 Military Canteen, 556 Nos. of Out Still shops with 1412 branch shops and 242 nos. of Country Spirit shops in the State. The government has collected Rs.2633.68 crore in the F/Y- 2015-16, Rs 3221.03 crore in 2017-

18 and Rs. 5525.93 crore in 2018-19 from the excise. The status of Distilleries/ Bottling plants in the state is given below.

**Table-7. Distilleries/ Bottling Plants Status in the state**

<b>List of Distilleries / Bottling Plants in the State</b>		
<b>Sl. No.</b>	<b>Name of the Unit</b>	<b>Production Capacity</b>
1	M/s. Shakti Sugars Ltd., Dhenkanal	75,00,000 LPL
2	M/s. Aska Co-operative Sugar Industries Ltd., Aska	22,50,000 LPL
3	M/s. Umeri Distilleries Pvt. Ltd., Umeri, Koraput	27,60,000 LPL
4	M/s. Suidihi Distilleries Pvt. Ltd., Lathikata, Sundargarh	30,00,000 LPL
5	M/s. Umeri Distilleries, Umeri, Jeypore, Koraput (Bottling)	2,40,000 LPL
6	M/s. Hi-Tech Bottling, Sambalpur	59,25,000 LPL
7	M/s. Heritage Distilleries, Nimapada, Puri	99,90,000 LPL
8	M/s. Baccus Bottling Ltd., Balasore	50,00,000 LPL
9	M/s. Utkal Distilleries, Khurda	81,00,001 LPL
10	M/s. Trinath Smart Pack Pvt. Ltd., Khurda	
11	Ms/. Shree Shakti Distilleries Ltd., Rayagada	6,48,000 LPL
12	M/s. Jeypore Sugar Company, Rayagada	11,88,000 LPL
13	M/s. Fortune Spirits Ltd., Ganjam	10,12,500 LPL
14	M/s. United Spirits Ltd., Ganjam	1,00,00,000 LPL
15	M/s. Oriental Bottling Pvt., Ltd., Khurda	6,29,200 LPL
16	M/s. Kwaliti Bottlers (P) Ltd., Janla, Khurda	11,95,560 LPL
17	M/s. Pine Cask Bottling, Khurda	12,00,015 LPL
<b>INFORMATION ON BREWERIES FUNCTIONING IN THE STATE</b>		
<b>Sl. No.</b>	<b>Name of the Unit</b>	<b>Production Capacity</b>
1	M/s. SKOL, Breweries, Paradeep, Jagatsinghpur	2,00,00,000 BL

2	M/s. Denzong Breweries, Khurda	1,60,25,600 BL
3	M/s. United Breweries, Khurda	8,00,00,000 BL
4	M/s. Maikal Breweries Ltd., Bolangir	1,08,00,000 BL
5	M/s. SR Breweries (P) Ltd.,	2,50,00,000 BL

**NB: IMFL- India Made Foreign Liquor, LPL- London Proof Litre, BL- Bulk Litre, RS- Rectified Spirit & OS- Out-Still Liquor (Source- Department of Excise, GoO, 2015)**

The following 21 districts are having the OS system

1	<b>Sambalpur</b>	12	<b>Nabarangapur</b>
2	Bargarh	13	Malkanagiri
3	Jharsuguda	14	Sundargarh
4	Deogarh	15	Angul
5	Kalahandi	16	Keonjhar
6	Nuapada	17	Mayurbhanj
7	Bolangir	18	Ganjam
8	Sonepur	19	Gajapati
9	Boudh	20	Dhenkana
10	Koraput	21	Berhampur
11	Rayagada		
<b>Country Sprit Shops are Prevalent in the following 10 districts of Odisha</b>			
1	Cuttack	6	Nayagarh
2	Jagatsingpur	7	Khurda
3	Kendrapara	8	Bhadrak
4	Jajpur	9	Balasore
5	Puri		

**Source- Department of Excise, GoO, 2015**

Thus to generate more revenue govt. has targeted for opening of more no of Distilleries / Bottling Plants and for the purpose to establishment of industry the govt. is also providing land. P & A Bottlers Pvt. Ltd., a Kolkatta-based company of Gayatri Group, was incorporated on 30 November 2012. The company proposed to establish a beer factory with a bottling capacity of 2.5 hectolitres per annum in Odisha with an investment of Rs102 crores. The brewery required 12.05 acres of Sal (Shorearobusta) forest land in Jhinkargadi forest of Balarampur village under the jurisdiction of Denkanal district. The land acquisition process started in 2014 and on 3rd November 2018 the Chief Minister of the state performed the ground breaking ceremony via video conference from Bhubaneshwar, the state capital. The construction of the project was scheduled to commence from 8th November 2018.

### **About the Village**

Balarampur village comes under the Odapada Tahasil of the Dhenkanal District of Odisha having geographical area of 975 hectares out of which 315.29 hectares covered by forest, 96.17 hectares is non-agricultural area and 78.78 hectares is irrigated area. The village is surrounded by Dhenkanal Tahasil towards East, Hindol Tahasil towards West, Kamakshyanagar Tahasil towards North and Tigiria Tahasil towards South.

As per the 2011 census there are 633 houses in the village and has a total population of 2927 peoples out of which 1540 (52.6%) are male and 1387 (47.4%) are female. The Kshatriyas are more dominant caste in the village. Besides, there are 249 STs (8.5%) and 918 (31.4%) SCs in the village. Literacy rate of the village is 74.3% (2174) whereas female literacy rate is 33.2% (971). The majority of the people of the village depend on agriculture and forest products.

The village is well communicated and only 15 Kms away from the District Head quarter. The village has Upper Primary School, High School, Anganwadi Centre, Primary Health Centre, Post Office, Public Library and Trutiyahev Jew Temple etc. Paddy, Black Gram and Vegetables are major agriculture commodities grow in the village. Canal system is the main source of Irrigation.

The sense of community spirit among the villagers is very high. The management of the village done by Grama Parichalana Parisad. The committee is responsible for keeping all records. Basically the villagers jointly celebrate Dolapurnima, Rathayatra, Astaprahari (Maghapurnima), Panasankaranti and Kartikapurnima gorgeously with a great pump.

As shared by the villagers the village has a rich history. During the British period the village was a Bishop (a bigger village with quasi-judicial power and responsible for collection of revenue) having administration over 23 small villages. The Kshatriyas are the prime inhabitants of the area who were served as body guard to the king. Before 1988 settlement it was a joint revenue village (covering Balarampur and Kasiadihi) having 4041 acres of land. But after settlement the village area was squeezed to 2800 acre out of which 600 acres identified as jungle and 102 acres kept for industrial purpose under the category of Gochar and Patita.

### **Backdrop of the Movement**

During the Sabik/ Sabak Settlement in 1988 the land area of controversy was identified as Jungle. Since 1971-72 the villagers of the Balarampur are protecting the 600 acres of village jungle (Jhinkargadi forest which is known for being the habitat of Porcupines, called Jhinka in Odisha)

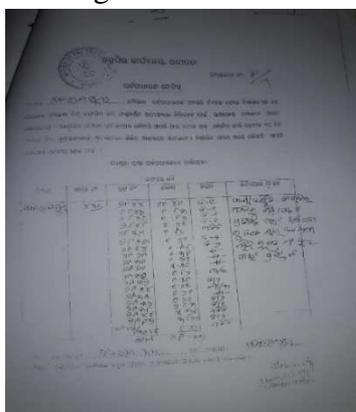


Figure 1

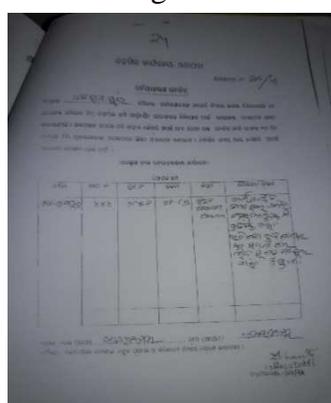


Figure 2

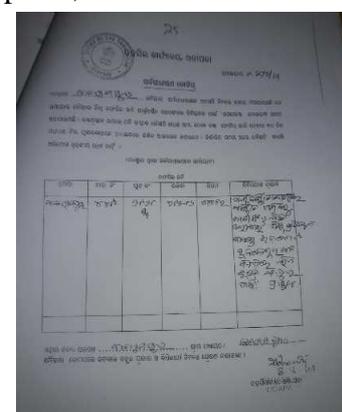


Figure 3

under their direct supervision by patrolling through Thengapali to ensure that its trees and shrubs are untouched. They made the thumb rule that daily two persons (one from one family) from the village (house-wise) will guard the jungle on rotational basis. If somebody who was assigned to watch the jungle for the day but unable to perform the duty, he/she has to pay that day's labour charge to the village committee as fine. Though it was an unwritten code, still it was obeyed unanimously by all the villagers. There are instances that a newly wedded couple also went to

jungle to watch and protect the trees of jungle from being cut by outsiders. The rule is prevalent in the area for last three generations and the villagers spend many days in the forest to keep the timber mafias at bay.

Besides, according to the rule none of the villagers were allowed to cut a single branch without permission of the village committee. They had identified a small patch of the forest to meet their day to day needs for firewood. But in case of any emergency like death when a funeral pyre must be made or construction of a house, the village committee allows the person to take wood by cutting a suitable tree to meet the purpose. As shared by the people the forest is not only treated as their lifeline but as the corridor for wild animals.

However, during 1988 settlement (Hal Bandobasta) the said protected jungle was converted to different Kسام of revenue land like Taila, Gochhar, Patita, Reserve for Jawans, Improved plan purpose land. Then, out of that land 96 acres of land under khata no 446 (41.37 acres of land Taila and Patia Kسام) and khata no 449 (41.87 acres' land of useful for Improved Plan and 12.86 acres' land of Gochar Kسام) was transferred to land bank of IDCO (Fig-1, 2 & 3). The issue came to lime light when the Gochar Kسام land of 12.86 acres was again converted to Patita (fallow land) and process was initiated for handing over of the said land to M/s P & A Bottlers Privates Limited in 2014 for establishment of Brewery Plant. It is noteworthy that, as per the letter no 43968, Dated 24.10.2011 of R & DM Department, GoO and the letter dated 7<sup>th</sup> March 2014 of F & E Department, GOI the said conversion had been found to be illegal.

It may be mentioned that Balarampur village is a pioneer in Anti-liquor movement. There are about 20 women SHGs in the village who have been continuously picketing against liquor for last 25 years. The anti-liquor movement was also got strong support from Grama Parichalana Parisad and Baladev Jew Club. The village claims to be a liquor free village since 1995.

## **The Movement**

At the outset of the land acquisition process in 2014 for acquisition of 12.86 acres of land in Balarampur Village under Odapada Tahasil of Dhenkanal District for M/s P & A Bottlers Privates Limited for establishment of Brewery Plant, the Tahasildar, Odapada served notice to the villagers inviting objections if any. On 20<sup>th</sup> October 2014 the villagers submitted their objection letter to the Tahasildar, Odapada and demanded for stopping of the land acquisition process for IDCO as the jungle is lifeline for the villagers. As shared by *Mr. Ambika Prasad Jena, President of Grama Parichalana Parisad* “*We knocked the doors of Tahsildar, Sub-Collector and Collector many times not to snatch the bread and butter of the villagers but our request remained in air*”. The administration paid little heed to their objection and it was informed to them that as the village possessed more than the minimum requirement of 5% of common land, any surplus land could be diverted to other purposes.

In the public hearing organized on 15.01.2015 the villagers objected the establishment of bottling plant and expressed their views saying that they have protected the jungle since 1971-72 and livelihood of many inhabitants livelihood depends on that jungle. They further said that the area had become home for elephants and other wild animals. The cattle of the villagers are also grazing in the area. Besides some landless families are cultivating the jungle land for agricultural produces and doing Cashew (Kaju) Plantation in the area since 1981 under different schemes with government support. If the land will be given to the Company, the livelihood of the villagers would be affected. It was shared by the villagers that those who were doing cashew plantation were earning more than Rs 30,000/- per annum whereas those who were going to the jungle for non-timber forest produce (NTFP) collection were earning around Rs 15,000/- per annum. Besides Kendu leaf collection was one of the major source of income for them. This indicates that the forest has been closely associated with the way of life of the villagers not only providing minor forest produces but reducing the burden of cattle feed which, indirectly ensures economic security of the landless or marginal and small farmers.

But the objection of the people was not taken into account and it was a shock to the villagers when they came to know in a Panchayat meeting for issuing NoC (No Objection Certificate) that the land was going to be acquired and transferred to the company for a Brewery Plant. The Managing Director of the company was present in the Panchayat meeting and faced opposition of the village leaders present there. The leaders suggested that a Pallisabha may be conveyed to take consent of the majority of the villagers. The resistance of the people was also not taken into account. During interaction Secretary of the Women Self Help Group (WSHG) *Ms Gitarani Dalai* shared that *“the forest was protected by us with our blood and sweat, it is our property. We may die but we will not allow anyone to snatch it from us”*. Expressing her discontent for cutting of trees for the Brewery Plant she also shared that *“the forest is our life. Our day starts from the forest and ends with the forest. The trees in the forest are nurtured as our children. No one can separate us.”* Supplementing her statement *Mr Prakash Kumar Patra, Vice-President, Grama Parichalana Parisad* said that all women SHG members of the village decided that *“We may die but we will not allow the alcohol factory to be established in this forest and to make our male members addicted to alcohol”*.

The land demarcation work started on 6<sup>th</sup> October 2017. At that time the villagers jointly opposed the work. Facing the confrontation, the company personnels kept all their pillars and fencing materials in the nearby village Ganjara and Jhargadia (Patua sahi) and ran away. This was the real turning point when people of the area united for a common cause, visualising the hardship in the event of land acquisition.

Sensing the gravity of the situation and with a strong determination to protect the jungle which was nurtured by them as a child, the villagers approached the nearby villages to take them into the confidence. The leaders of the village took a proactive step on the issue and started motivating nearby 12 villages that were closer to the Jungle. These comprised of 6 villages of Odapada block (Ganjara, Brahamanipal, Bampa, Dalki, Brajanathapur and Jagannathpur and 6 villages of Hindol block (Balarampur, Kasiadihi, Kandabindha, sariapada, Tamanda, and Mahidharpur). They identified some key issues which would emerge if the land was acquired. The issues highlighted

were - deforestation, education of girls (village girls passing through the plant-designated area, while going to college, could face harassment if the brewery plant would be established), Livelihood of landless poor and tribal would be affected, water level would go down, problem of wild animals would emerge (elephants will enter into the village) and ecosystem would be adversely affected. To take their cause forward, they formed **Anchalika Surakshya and Bikash Mancha** and organized regular meetings in each village. They also contacted media people/ journalists and went for media advocacy. Besides, they approached activists and members of ruling party as well as opposition party to extend their support on the matter.

It is a fact that there are very few dense forests like Jhinkargadi forest of **Balarampur** village which are not in direct control of the forest department but the government was trying to ignore the tears and sweat given by the villagers in protecting and nurturing the forest. In this context **Mr Madhusudan Nayak**, one of the village leader said “*has government ever calculated the efforts given by the villagers for generations to make a bushy green field to a dense forest*”.

On 18<sup>th</sup> October 2017 the villagers submitted a letter to F & E Department, GoO on the matter on basis of which the Divisional Forest Officer (DFO), Dhenkanal carried out an investigation. As reported by the Forest Range Officer the area allotted to the M/s P & A Bottlers Privates Limited was full of

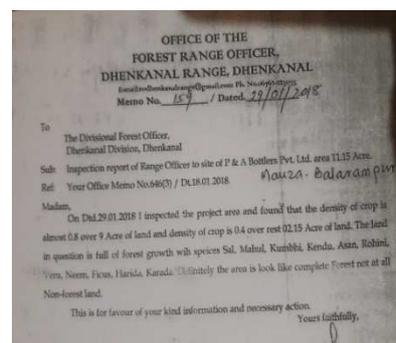


Figure 4

forest growth with species like Sal, Mahula, Kumbhi, Asan, Veru, Kendu, Rohini, Ficus, Neem, Harida, Karada etc (Fig-4). As per the views of the villagers there were also about 600 medicinal plants in the jungle. But it had no effect on the process. The villagers felt hopeless and went to the court of law for Justice. The Odisha high court asked administration to submit a status report. Besides, with the help of an advocate they also approached National Green Tribunal (NGT) in 10.11.2017 and the NGT was scheduled the hearing on the issue on 20<sup>th</sup> November 2018.

On 3<sup>rd</sup> November 2018 foundation stone was laid by Chief Minister, Odisha through video conferencing with the District Collector, Dhenkanal present on the ground with a police force. The opposition on the date was very strong against the deforestation drive of the district administration. There was a tussle between police force and the villagers. Female members of the village also came forward and protested the Collector. Around 70-80 male as well as female members were arrested by the police.



*Photo showing the tussle*

Looking at the situation, the company officials secretly entered into the jungle area with electronic tree cutting machines at 3.30 AM on 17<sup>th</sup> November 2018 from Hindol side route and cut down trees to establish before the high court and NGT that the area was an abandoned field. When the villagers got information about the tree cutting in the morning all of them rushed into the area. Till arrival of the villagers, around 956 big trees had been felled which, was nearly 50% of the existing trees.



*Photo showing the depletion of forest after tree cutting*

*As per the villager's version, the company with the support of the administration played a role of a jungle mafia. To save the balance trees each member embraced one tree and opposed the company. The agitation by local people was so strong that it leads to a scuffle with the police force. The police tried to evict the villagers, mostly women who were guarding the trees by wrapping their arms around the trees and hugging the barks. It was shared by one of the women members that the cops tore their sarees and blouses very ruthlessly. Some of them were also arrested. Recalling to the incidence Mr. Samir Kumar Patra, Assistant Secretary, Grama Parichalana Parisad said "Brutality of the administration to favour a brewery plant created a condition of do or die for the villagers".*



*Present scenario of the forest*

The villagers also took help of the media people and requested to place the issue in news. By then, the images of women clasping trees had then gone viral attracting widespread condemnation on police high-handedness. Activists and citizens had rushed to Balarampur to give moral supports to the villagers. Coincidentally at that time Assembly was going on and the issue was snowballed in the Assembly with the Opposition up-in-arms against the ruling party for their decision to fell trees for the beer factory. Coming under pressure of massive public outcry the order was passed by the Hon'ble Chief Minister to stop the tree cutting with immediate effect and inquire about the matter by the Concerned Revenue Divisional Commissioner (RDC). After investigation, on the basis of the factual report the RDC, Sambalpur issued a letter for stopping the tree cutting and cancellation of the land allocation. On the next day, the female folk of the Balarampur village performed death rituals and cried inconsolably for the felled trees just as one would do in the case of a death in the family.

As shared by the people the High court judgment went in favour of the villagers and on 19th November 2018 the allotment of land to M/s P & A Bottlers Privates Limited for establishment of Brewery Plant was cancelled.

The NGT carried out the first hearing on 27<sup>th</sup> November 2018 and clearly spelled out that “the Forest (Conservation) Act 1980 is violated by the concerned party in the present operation and ordered to maintain the Status quo until further orders” (fig-5)

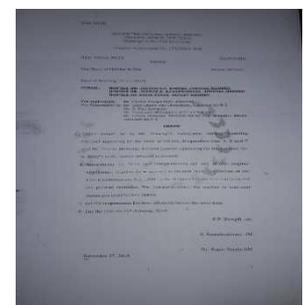


Figure 5

Now, the villagers are demanding for compensation against the loss occurred due to cutting of old trees and afforestation to restore tree cover. Further, they are also insisting that the land which was converted to non-forest land during Hal Settlement should be declared as village forest and handed over to the villagers.

## **Role of the Government**

The concept of land bank was developed by IDCO to avoid complications in arrangement of land for industries and to expedite the process of land acquisition. Vide the Revenue Department notification dated 20<sup>th</sup> January, 2018 the district Collectors have been delegated with the power to take advance possession of Government land if there are no private right over it, without any guarantee on generation of employment or food security strategy. But, invariably people by and large are in possession of the Government land adjoining to their village for some communal rights like fodder from forest and cow grazing in name of Gochar. When government land is considered for any industrial use, the unrecorded rights of people over such land are not recognised as if they don't have any rights. The people of the locality are never taken in to confidence as a rightful user of the land. While transferring such land for other use, the impact on the villagers is not taken in to account. Nor are the villagers informed about the intended use of land, which raises question about the transparency of the acquisition process. In the present case, no investigation was conducted to ascertain the reasons for the villager's opposition to the brewery plant. As per the views of the villagers, resistance was particularly strong for the beer factory because, it was feared, that its presence would harm their communal life and would not be beneficial for the area or promote their economic growth.

The land acquisition by IDCO in Balarampur village for establishment Brewery Plant of M/s P & A Bottlers Privates Limited initiated in 2014. Since it is identified Government land and is required to follow through lease process applicability of RFCTLARR Act was limited. However, the impact of the lease with the right of people over the village forest was a great question which was fought through a Chipko Movement type of agitation which compelled administration to bow down before the unrecorded title of people over the long years of nurture of forest.

The Tahasildar, Odapada has tried to convince the people for giving up the land from the purview of the government but people's sentiment/ perception towards the Brewery Plant was not encouraging. Similarly, People are aggrieved on the change of record during settlement process

which converted the land from forest record to Non forest land. This change was not approved by people since they are using it as forest and continuing to Guard for their interest.

The case also highlights the lack of coordination between Revenue and Forest Departments though both are concerned for land rights of the people. When the land conversation made in 1988, the Forest Conservation Act 1980 was overlooked. It was much later, in 2014, that the Forest Department deemed the conversion illegal.

The case also brings out the indistinctness of government approach. In one hand, for the sake of forest conservation government is reluctant to allocate lease right of forest land/ community land to the landless poor for subsistence of their livelihood and on the other hand, it permits the tree cutting for a Brewery Plant. The residents of the village are still fearful because the Government's intention about the policy of protection of trees is not clear.

**Staples behind success of the movement**

Opposition for industries in Odisha has been started at various levels from different corners. Whether it is a successful or failure but each movement has its uniqueness. The undercurrent for success of the Balarampur people's movement against Brewery Plant of M/s P & A Bottlers Privates Limited can be highlighted as follows:

- The strong anti-liquor sentiment of women members of Balarampur village. The Government was aware about the anti-liquor movement of women members of Balarampur village but choose to overlook it while allocating the land for M/s P & A Bottlers Privates Limited to establish Brewery Plant.
- The village has strong cohesiveness and villagers are well organized for a common cause.
- The opposition started from the villagers right from the initiation of the land transfer process and continued till achievement of the goal.
- The leaders are dedicated and able to mobilize nearby 12 villages for the cause.

S. No.	Name of the Village	Khasra No.	Plot No.	Area (Acres)	Remarks
1	Balarampur	2921	41.87	41.87	Reserved for Industry
2	Balarampur	2922	35.72	35.72	Reserved for Industry
3	Balarampur	2923	13.95	13.95	Reserved for Industry
4	Balarampur	2924	0.58	0.58	Reserved for Industry
5	Balarampur	2925	0.25	0.25	Reserved for Industry
6	Balarampur	2944	3.71	3.71	Reserved for Industry
7	Balarampur	2913/2048	1.48	1.48	Reserved for Industry

Figure 6

- They established a strong network for media and political advocacy.
- The identification of land category was done in latter stage by the government (fig-6)

### **Conclusion and Take away from the case**

Though people's movements in Odisha have a long history but most of them are enfeebled due to poor motivation or weak organizational set up or weak leadership etc. However, the case of Balarampur is a good example for all stakeholders as a successful endeavour on common property rights. It gives ample of scopes to the policy makers/ planners to rethink about the procedure followed for providing land to industries from its conception. It shows that though the Industrialisation as a welcome venture of Government of Odisha but selection of site is very important which neither government nor the project proponent has seriously viewed. Before finalizing the site some entry activities need to be carried out which was not taken shape in the process. When all agitations looked as a sake of opposition from people by Government system, the root cause of the issue sometimes loses importance and at the end it become more difficult to manage the sentiment of the people. When the people lose faith in Government system they always go for agitation which is quite visible from Balarampur case. But it is a fact that at the end state lost an investment. The challenge for providing land for industries needs a different approach right from site selection to inception; Government machinery such as IDCO/IPICOL should develop expertise to give guidance for intending investors which will finally end up with a win-win situation for all. If the Government of Orissa fails to change the approach and fails to initiate action in the right direction, Balarampur-type of incident may occur again, in future.

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