

# Livelihood and Environmental Conflicts: An Analysis of Development and Protests in Odisha, India

*Sarada Prasanna Das*

According to Global Environmental Justice Atlas, there are more environmental conflicts in India than any other country in the world. Most of the environmental clashes are over water and extractive resource/industry. In this context, the paper is presenting a brief profile of tribal resistance over bauxite mining and aluminium industry in Lanjigarh Block of Odisha. Drawing from extensive fieldwork the paper has analysed the impact of the mining project on lives and livelihood of the native population. It has also examined the participation politics of different communities, organizations as well as mainstream political parties in the movement against the mining project.

## *1. Introduction*

Resistance of the poor and marginalized communities for environment and livelihood is not very new. But when this struggle for protection of environment and livelihood of the small communities sets an important precedent in a democracy, it becomes very significant to analyze. The Supreme Court's decision to go for an environmental referendum in two tribal districts of Odisha, India, on the basis of local communities religious and cultural rights over their habitation has put an end to a much hyped and long environmental conflict in the state of Odisha.<sup>1</sup> In the village council meetings with the presence of representatives of the Supreme Court of India, 12 *Gram Sabhas* (village councils) unanimously rejected the Vedanta Aluminium and State-owned mining corporations' plan of bauxite mining in the Niyamgiri Hill. This people's verdict has set a historic and significant precedent, which could also determine the course of similar environmental

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1 Kalahandi and Rayagada district of Odisha. These two southern districts of Odisha are mineral rich and 80 percent of Bauxite found in these two districts.

conflicts in other tribal areas in Odisha and other parts of India. In this context, the paper is presenting a brief profile of tribal resistance over bauxite mining and aluminium industry with special reference to conflict over Niyamgiri Hill of Kalahandi district, Odisha. It has also examined and analysed the participation politics of different communities, community based organizations, and mainstream political parties in the movement against the mining project.

## 2. Industrial Development and Environmental Conflicts in Odisha

Odisha, the ancient land of temples is one of the most resource-rich States in the country. It is predominantly an agricultural state where nearly seventy percent of the working population depends on agriculture. The State also is endowed with vast natural resources, mineral, marine, agricultural and forest wealth. The recorded forest cover in the State is 58,136 km<sup>2</sup>, which constitutes around 34.9 percent of the State's geographical area.<sup>2</sup> These forest regions of the state are home to the different tribal communities, which constitute 22 percent of the state population. There are 62 different tribal communities present there in the state and out of them 13 communities are considered Primitive Tribal Groups (PTGs) and were assigned special treatments. Almost 44.2 percent of the total land in Odisha has been declared as *Scheduled Area*.<sup>3</sup> Forests serve as major livelihood

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2 Official forest statistics, Government of Odisha, 2017.

3 Padhi, S./Panigrahi, N. (2011): Tribal Movements and Livelihoods: Recent Developments in Orissa. New Delhi. Mishra, B./Mishra, S. (2014): Mining and Industrialisation. New Delhi. Mishra, P. P./Pujari A. K. (2008): Impact of Mining on Agricultural Productivity: A Case Study of the Indian State of Orissa. In: South Asia Economic Journal 9. 337-350. Mishra, R. N./Maitra, A. (2007): Industrialization and Protest Movements in Orissa. New Delhi. Das, S. P. (2014a): Lanjigarh Mei 'Niyam Raja' Ko Leke Sangharsh. Bhartiya Samaj Shastra Samikhya 1. 121-126. Scheduled Areas is a provision of the Constitution of India in which some areas are declared under the Fifth and Sixth Schedule of the Constitution. The basic thrust of the Fifth schedule of the constitution of India is the protection of cultural distinctiveness of the tribal communities. It also deals with the control and administration of the Schedule Areas. It provides protection to the tribal communities on account of their economic disadvantages so that they could maintain their tribal identity without any coercion or exploitation. The total area of the Scheduled Areas of the state contains almost 70 percent of Orissa's forest areas, even though they form only 44 percent of the state area.

resources for tribals and people living in forest fringes as they provide various kinds of Non Timber Forest Produce (NTFPs). These small communities living in and around the forest areas follow a traditional livelihood system, which is based on the shifting cultivation and collection of edible forest produce. In social terms, the traditional livelihood system was based on customary, usufructuary rights of tribal communities over land and forests. The survival of tribal communities critically depends on land and forest resources.<sup>4</sup>

After independence industrial development and dam construction was one of important part of national development. The state of Odisha has built some major mega hydroelectric cum irrigation projects like Hirakud (1948), Balimela (1963), Machhkund (1949), Upper Kolab (1978), Indravati (1978), Mandira, Rengali (1973) and Subarnarekha. Apart from that there are mineral-based public industries like Rourkela Steel Plant (1950), National Aluminium Company at Angul (1985), Hindustan Aeronautics Ltd. (1962). Furthermore, the iron mining in Keonjhar, Mayurbhanj and Sundergarh districts, the bauxite mining projects at Damanjodi and Panchaput Mali of Koraput district by NALCO (1986) etc., were also done to supply the raw materials to these mineral based industries and projects on cement, dolomite and limestone were also established in that phase of industrialization.

A rough calculation shows that, since Independence, Orissa has set up 190 such projects, which has deforested 24,124 hectares of forestland, the basic source of livelihood of the tribal people. Estimates of the magnitude of human population displacement in Orissa resulting from the establishment of various mega-projects during 1951–95 show that different kinds of industrial development projects (dam, mining, big industries, sanctuaries) have displaced around 546,794 families, out of which only 192,840 (35.26 percent) have been rehabilitated.<sup>5</sup>

Diversion of forest and establishment of public and private mega-projects in tribal regions has encroached on tribal people's native lands

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- 4 Padhi/Panigrahi (2011). Shiva, V. (1991): *Ecology and the Politics of Survival: Conflict over Natural Resources in India*. New Delhi. Beck, T./Ghosh, M. (2000): *Common Property Resources and the Poor: Finding from the West Bangle*. In: *Economic and Political Weekly XXXV*. 147-153.
  - 5 Mohapatra, L. K. (1999): *Tribals' Rights to Land and the State in Orissa*. In: Behura, D. K./Pfeffer, G. (eds.): *Contemporary Society Tribal Studies*. New Delhi. Padhi/Panigrahi (2011).

and thereby displaced them. All these projects have had an immense impact on tribal livelihood, community life and political structures, as it has been documented through several empirical studies in the state.<sup>6</sup> These studies show that, tribals once dependent upon sustainable forest and primitive agricultural economy and unaccustomed to the culture of wage of work now hire themselves out as daily wageworkers. When they fail to get any work, they move to the city as seasonal migrants to work either as contract labours or informal sector workers as coolies. It shows that the depletion of forest and other self-sustaining natural resources tribals and other weaker sections of the population in the hinterland have been converted into unskilled wageworkers.

Available data shows that different industrial development projects have displaced more families in the tribal areas and it still continues till date.<sup>7</sup> Lack of recent statistics might be one of the limitations of this argument but if we look at the magnitude of the industrialization in Odisha especially after the liberalization of Indian economy we can see that the state has become a major destination of steel plants, thermal power plants, alumina/aluminium projects and oil refineries. The project/proposals in hand include 13 steel plants, half a dozen large power projects, three alumina/aluminum projects and two green field oil refineries, most of them by major national and international industrial enterprises. In 2005, the state government has signed as many as 43 memoranda of understanding with various corporate bodies for setting up of their industrial units at an investment of Rupees 1, 60,000 crore.<sup>8</sup> These projects are also planned to establish in the areas, which are mainly rich in forest and minerals to facilitate the developers and minimize the difficulties of getting raw materials from a distance places. Therefore, in recent years the state of Odisha has experienced several environmental conflicts and movements in these backward regions of the state.

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6 See Patnaik (2000); Dash/Samal (2008); Pattanayak (2010); Sahu (2008a); Lahiri-dutt (2006); Mishra/Mishra (2014); Mishra/Pujari (2008); Das (2014a).

7 See Padhi/Panigrahi (2011); Mohapatra (1999); Swain/Panigrahi (1999); Das (2014b); Das (2014a).

8 See Mishra/Maitra (2007); Das (2014a).

### 3. *Environmental Conflicts in Resource Rich Regions of Odisha*

Against this background, if we throw some light on the history of Odisha the responses of the tribals/small communities for their rights are not very new. The incidents involving the subjugation and the deprivation of these communities from their natural rights over resource have its history in colonial as well post-colonial India. These incidents include the uprising of Khodhs of Ghumasar (1835–37), the Gonds of Sambalpur (1857–64) and Bhuiyans of Keonjhar (1867–1868).<sup>9</sup> Major causes of these conflicts were rights over land and forest resources, which is the major source of livelihood of these small communities. After seven decades of the independence these resistances/protests are still going on because of development deficits and governance deficits in some regions. Recently the state has also witnessed several conflicts around natural resources like land, forest and water. The major environmental conflicts site includes Maikancha in Raygada district, Kalinganagar in Jajpur district, Kashipur in Raygada, Lanjigarh in Kalahandi districts, Laxmipur block in Koraput district Sindhigaon, Gopalpur (1997), Maikancha (2000) and Kalinga Nagar, (2006) etc. Some of these conflicts have resulted police firing and loss of life.<sup>10</sup>

### 4. *Battle over Bauxite*

The state of Odisha, particularly the southern part of the state that is Koraput, Balangir, Kalahandi, Raygada, Bargarh etc. is endowed with 70 percent of the total bauxite of the country. As stated, above in the post liberalization period these regions have attracted Foreign Direct Investment (FDI). Apart from the Indian public and private enterprises like NALCO and TATA, since 1985 several foreign companies have attempted to explore bauxite ores in these districts. These companies include BALCO Ltd. in 1986, Utkal Alumina, INDAL, TATA, Hydro (Norway), ALCAN (Canada) and HINDALCO etc.

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9 Das (2014a). Das, S. P. (2014b): *Livelihood, Environment and Developmental State: Consonances and Dissonances in the Mining Areas of Odisha*. New Delhi. Padhi/Panigrahi (2011).

10 Das (2014a).

Although the movement against bauxite mining in Odisha has started in 1985 in Balangir district to protect Gandhamardan Hill<sup>11</sup> and continued with the Kashipur (1993)<sup>12</sup> but the case of Lanjigarh/Niyamgiri is one of the unique which has attracted global attention on the issues of environmental and religious rights of the one of the primitive tribes of the country. In Lanjigarh the local indigenous people were against Vedanta Alumina Ltd. (VAL),<sup>13</sup> which has planned to extract bauxite from Niyamgiri Hill. The company has planned to mine bauxite deposit from the Niyamgiri Hills jointly with Odisha Mining Corporation Limited (OMC) as per the lease agreement between VAL and OMC in October 2004. For this purpose, 723.343 hectare of land is required by the VAL and out of this 232.75 ha of land was private and was acquired under Land Acquisition Act, 1984 for *public purpose*. Most of this land belonged to scheduled tribes. Another 721.323 ha of land are required for the bauxite mining on top of the Niyamagiri Hill. Most of the land is categorized as forest. In addition to that, a rough estimate shows that 173 villages are situated in the project impact zone within 10 km of the area. The total population in these villages is 50586 who will be directly affected by this mining activities.

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- 11 Gandhamardam hill is considered the mother of all the local people in terms of providing food, firewood, fodder, water (22 streams and 150 perennial springs) and medicines, both for home consumption and sale. The major NTFPs collected by the people are mahua flowers, *sal seed*, *sal leaf* (used for making of plats) bamboo shoots, *charseed*, *kendu leaf* (some part of the Odisha, Chhattisgarh and Jharkhand it is also called *Tendu leaf* and it is used for making of *Bidi* (Indian cigar)), mango, *harida* and *bahada*. The region comprises of tribal peasants and scheduled castes which together constitute 55 percent of the population. The major tribal communities of the area are *Gonds*, *Binijhals*, *Kondh* and *Kultas*.
- 12 This movement has started from 1993 onwards. Plant in Kashipur directly affects 2500 people in the 24 villages of *Kucheipadar*, *Haldiguda* and *Tikiri Garm* Panchayat. However company claimed that only 147 families from the three villages would be affected. In addition to that 42 villages Chandragiri, Maikanch and Kodipari panchayat would be directly affected by open caste mining at Baphlimali. The project has acquired 1000 hectares of land which has been use for years for cultivation, forestry and shifting cultivation, Note: These data were referred from secondary sources basically books and articles. After 1990s data are not available in consolidated basis. It is generally available locally so it is very difficult to collect these
- 13 VAL is a subsidiary of M/S Srelite industries (India) Ltd.

The tribal population constitutes 43 percent of the total population<sup>14</sup>. The protest against this project stated around 2002 when the OMC and VAL started the survey process.<sup>15</sup>

### 5. Conflict over Niyamgiri in Lanjigarh

The case of Lanjigarh is not very different from above discussed protest sites (Gandamardan and Kashipur) in terms of the local livelihood and environment. Agriculture and collection of miner forest products is the primary activity of the people in this place. Agriculture as such is not in a position to meet their basic subsistence needs, almost all household supplement this by collecting minor forest produces and non-timber fuel wood from the forest, which they consider as their main subsidiary occupation. Mining has not started in this place because of the people's protests regarding the proposed mining site (Niyamgiri Hill range). But VAL has started its plant and getting raw mineral from neighbouring states like Jharkhand and Chhattisgarh for the production.

Lanjigarh/Niyamgir is the home of one of the most primitive tribe called *Jarnia Khond/Dongria Khond*. These names are related to their place of living, those Khonds are living near stream (*Jharna*) called *Jarnia* and those Khonds are living in the hill called themselves *Dongria* (in their dialect *dong* means hill). The hills are covered with dense forest and river valleys. These small communities living there practice a subsistence economy based on agriculture, forest products, fishing, and hunting. Their culture is intimately entwined with the surrounding landscape. The *Don-*

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14 Note on Bauxite Mining in Orissa: Report on Flora, Fauna, and impact on Tribal population: The supreme Court of India in their order dated 06.09.2007 in IA No. 1324 and 1474 in Writ Petition (Civil) no. 202 of 1995 have sought the following additional information, [www.freewebs.com/epgorissa/Note%20on%20Bauxite%20Mining\[1\].doc](http://www.freewebs.com/epgorissa/Note%20on%20Bauxite%20Mining[1].doc) accessed on 19<sup>th</sup> June 2013.

15 Sahu, G. (2008b): Mining in the Niyamgiri Hills and Tribal Rights. In: Economic and Political Weekly 43. 19-21. Samantar, P. (2006): Niyamgiri Waiting for Justice. Brahampur. Nayak, S. R. (2007): Environmental Movement in the Context of Development: A Case Study of Lanjigarh, Orissa. New Delhi. Das (2014a). Das (2014b).

*garias* believe that the hill belongs to *Niyam Raja*,<sup>16</sup> a male deity represented by a sword and worshipped during the festivals of *Dussera* and *Jura Parab*.<sup>17</sup> In addition to this, the region is ecologically and culturally rich and significant for the local population. Several streams coming from the hills are the major tributaries of the different rivers of the area. Apart from that the livelihood and agriculture of these hill communities primarily depends on these water sources of the Niyamgiri. Other than this community, there are other communities living in and around the hill, they are mainly *Kutia* Khonds and some of Scheduled caste population. These tribal communities together with Scheduled castes comprise above 50 percent of the total population of the area.<sup>18</sup>

As stated above for their livelihood they fully depend on the forest of the Niyamgiri Hill. The small communities living there maintain a symbolic relationship with nature and natural resources. They enjoy natural rights over the resources surrounding them. There are 36 small and big streams in the Niyamgiri Hill. All the communities living in this area depend on these stream water coming from the streams, for their agriculture. Apart from that, most of the communities use stream water for their household use and drinking purposes. In addition to that, most of the people collect and sale NTFP in the nearest weekly market which is their main cash income. There are 112 villages which are totally depends on this hill and forest. Most of the tribal communities practice *podu* cultivation method, which is also called as shifting cultivation in the foothill of Niyamgiri. *Dongria Kondhs/Jharnia Kondhs*, those who are living inside the forest and uphill areas depend on the forest for their livelihood. They use to cultivate *Mandia* (Ragi), which is their staple food. In addition to that, they also cultivate turmeric, ginger and many fruits in the different seasons like mangos, pineapples, orange, Red banana etc. that add to their cash income apart from the selling of NTFPs like Sal leaves.

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16 The King of Law and protector the communities living in the Niyamgiri hill range. People believe that Niyam Raja provides food and shelter for the small communities living in the area.

17 These are the festivals natives of the region celebrate and worship *Niyam Raja* for a prosperous life. Nayak (2007). Sahu (2008b). Das (2014a). Das (2014b).

18 Das (2014a). Das (2014b).



## 6. Movement and Participation

The tribal communities with others in the Lanjigarh have raised their voice against this mega-alumina refinery and mining project like other places of Odisha. As stated above, about 112 uphill and foothill villages will be directly affected by this project and another 350 villages and roughly 10,000 persons around the Niyamgiri Hill will be indirectly affected by the mining. They have questioned the development process by asking *Development for whom and at whose cost*, noting that it basically affects tribal people and their non-renewable livelihood resources. Here masses have raised their voice because their life and livelihood are in danger due to the faulty planning of the government and misleading statistics regarding the loss of home land, forest, agricultural land, natural resources and human resources. The conflict with Vedanta has begun with the land acquisition and the people's protest were started in 2003 with the *Bhumi Puja* (the day foundation stone was laid) for the refinery. When the foundation stone was laid, the agitators broke it down soon after two days and it took a shape of movement when district administration and VAL tried to forcefully evict people from five villages (Kinari, Borbhatta, Kapagada, Badugada and Kordiar village) took them to the resettlement colony. It took a different shape when several people from village who were initially supporting the project joined the movement because they were not compensated as promised earlier. Most of the people are not compensated because they do not have their land records.

There are mainly three different streams of the movement in the same time, in the same place. First, stream of the people totally against the project and demanding total scrap of the Vedanta Project. Second, group of people are in support of the refinery but against the mining. The third group is in support of the whole project but they demand good (more) compensation and rehabilitation package for their land and livelihood. Local leaders of the first group of people criticized the project and pointed out, that the project is affecting vast tract of fertile agricultural land, water sources, forest, and wildlife. It has already displaced two villages fully and two villages partially and it will displace more villages in near future and finally it will destroy the only source of the livelihood and the religious and cultural symbol of the local people that is Niyamagiri from which they are going to extract bauxite for their refinery plant. According to local activists, the main point is the benefit from the project that will not reach to needy local people, but, the benefit will reach to local elites, prosperous

and rich industrialist. Second stream of the people are in view that the project is good for the development of region but they could not allow mining Niyamgiri, because most of the people depend on the hill for their livelihood. Apart from that, this group suggests that the state should provide mining of bauxite at any other place for the refinery. This group also demands that new rehabilitation package should be given to them because several projects affected people have not got their actual compensation due to corruption by the middlemen. The third stream of the people are basically asking the compensation that they think is not good enough what they are going to lose. In the Lanjigarh the villages and different social groups are also divided according to their ideology and interest.

### 7. Civil Societies and its Participation

Apart from these, above social and economic divisions, people are also divided under many organizations according to their ideology and interests. Organization like *Green Kalahandi*, *Sachetan Nagarik Manch*, *Niyamgiri Surakha Samiti* etc. are participating in the movement for the protection of Niyamgiri. These organizations have their own agenda, as well as, all of them also have a common agenda. Sometimes these organizations participate in the movement collectively and sometimes they protest separately. Like the above organizations, some other Non-Governmental Organizations (NGOs) are also working in the region. One of the leaders of the *Niyamgiri Surakha Samiti* has stated that the organizations like *Lanjigarh Anchalika Bikash Parishad*, *Nabin Vikash Trust*, *Lanjigarh Unnayan Anchalika Samiti*, *Niyamgiri Adivasi Vikash Parishad*, *Shakti Organisation*, *Kui Bikash Parishad* are sponsored by Vendanta to create public opinion for the refinery and mining. He also accused these organizations for misleading poor and illiterate tribal people in the name of development by providing short-term benefits. Furthermore, some of the movement activists also stated, that Vedanta has employed several local people who help them in creating public opinion for them. Most of the local leaders of the movement are in opinion that the influx of non-tribal people in the region after 2005 has also suppressed the tribals.

## 8. Politics of the Political Parties

In addition to civil societies, mainstream political parties are also involved in the movement through different organizations as well as supporting the cause from outside. The mainstream political parties use these platforms for their electoral politics. It is also evident from the last election that opposing the project, Indian National Congress party candidate has won election and some leaders of Biju Janata Dal<sup>19</sup> (those who are in support of the project) have lost the election because of the movement. During the movement, several social activists and political leaders like Medha Patkar,<sup>20</sup> Rahul Gandhi,<sup>21</sup> and Jairam Ramesh<sup>22</sup> visited Lanjigarh and met tribal leaders during the movement. These leaders also promised that they will also fight for the livelihood and religious rights of the native population. In a setback against VAL in August 2010 Ministry of Environment, Forest and Climate Change had withdrawn the forest clearance license given for the mining in Niyamgiri. It put a stop to VAL's plan to mine the sacred Niyamgiri. The withdrawal of the forest clearance is considered as a political decision. The clearance was withdrawn just after the Lanjigarh visit of Mr. Rahul Gandhi (then Vice President, Indian National Congress) where he promised to protect the sacred hill and its people's livelihood.

In addition, the Supreme Court of India in 2013, for the first time in the history of independent India, decided to go for an environmental referendum in the villages of the affected areas recognizing religious cultural rights of the endangered communities under *Scheduled Tribes and Other*

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- 19 Biju Janata Dal is also known, as BJD is a regional political party, which is ruling the state of Odisha from the year 2000 onwards. The Chief Minister and party supreme Mr. Naveen Patnaik is one of very strong support of Foreign Direct Investment (FDI) in the mining sector in the state. Under his leadership Odisha's Mineral sector has attracted huge FDI for different steel, aluminium and power projects.
- 20 Medha Pathekar is one of the prominent social activists. She played a very significant role in Save the Narmada Movement and known for her environmental activism in India.
- 21 Rahul Gandhi was the then National Vice-President and presently the President of Indian National Congress (INC) the biggest political party in the United Progressive Alliance (UPA), which ruled India from 2004-2014.
- 22 Jairam Ramesh is a Member of Parliament from prominent member of INC. He was also the Minister of Environment and Minister of Rural Development in the UPA government during 2004-2014.

*Traditional Forest Dwellers*.<sup>23</sup> In this historic referendum, all the village councils rejected the plan of bauxite mining, which stopped the project. In February 2016, OMC, the state-owned mining corporation again challenged the 2013 Supreme Court judgment. However, the Supreme Court refused to accept the petition and directed OMC to approach appropriate forums against the decision of the village councils held in July–August 2013. In this context, the communities and their leaders think that their battle against VAL and for the preservation of their environment is not over in a state where money matters.

## 9. Conclusion

Analysis of Lanjigarh environmental conflict reveals, the small and endangered communities are fighting for their rights to livelihood, environment, identity and lifestyle, which is distinct from others. The conflict is also against free market economy which natives of the region think is a major risk to their distinct identity, culture and livelihood. It also reveals different layers of people's participation in the movement. In broader sense, this conflict is a rejection of the present model of development, which stresses upon forceful integration of these small communities into the mainstream. One of the major reasons of the conflict is trust deficit between state development model and the people, which has continuously ignored the people's strength and cultural wealth of the regions. In the contrary, this trust deficit has also created a space for the socially, politically and economically lower section of the society to raise their voice and show their strength. The people's movement helped the poor and marginal groups to access information on their right to life and livelihood. These movements and conflict areas also remind us that there is a need for change in the present model of development.

Indian judiciary and judicial activism has also provided a space for marginal communities against oppression of state and market. Specifically, Vedanta bauxite mine judgment of the Supreme Court provided a hope of social democracy among these small communities. Further, this precedent

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23 *Recognition of Forest Rights Act* – better known as the Forest Rights Act (FRA) of 2006

also lays the legal ground for many more communities to fight displacement on religion and cultural considerations.

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