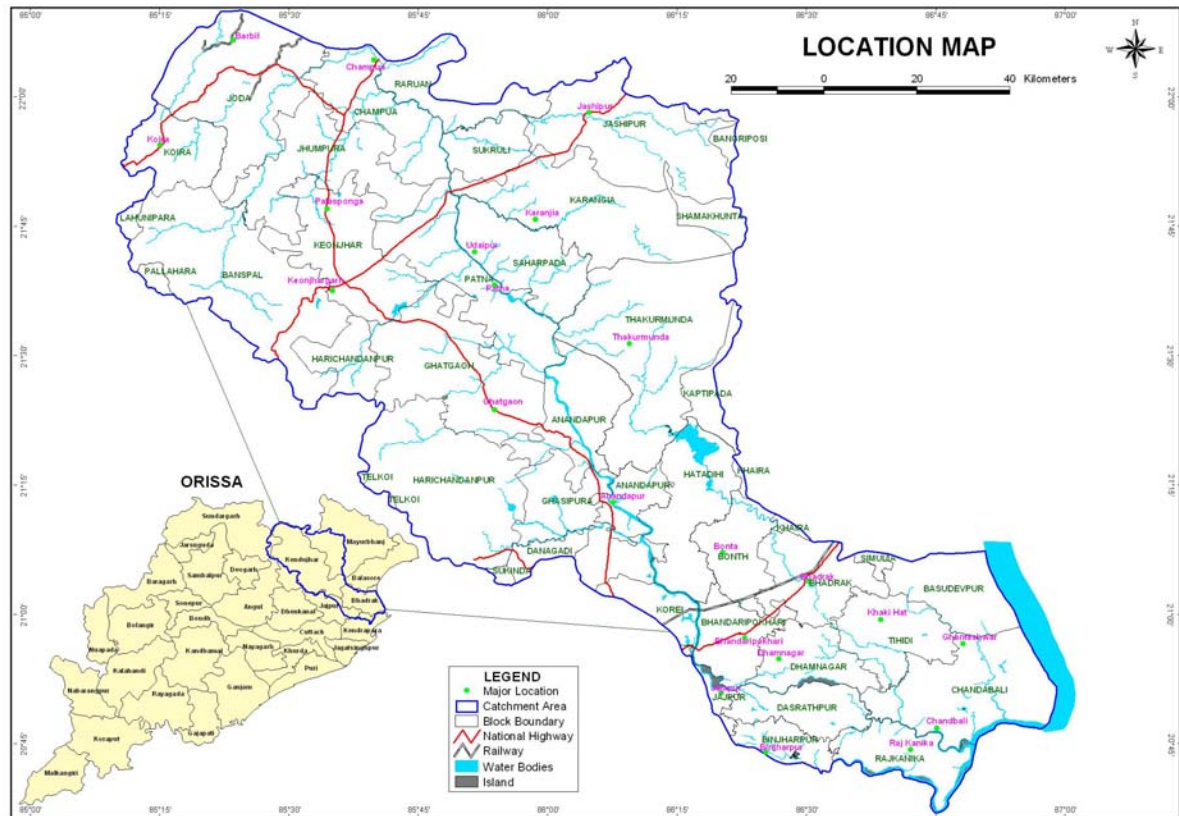


Rights & Governance

www.baitarani.org



Enabling Informed Choices and Enhancing Stakeholder Voices

www.baitarani.org

Rationale

- Information/Rights/Access divide
- Requirement of decentralized democratization of NR Governance
- Important yet neglected role of women in NR
- Competing and Conflicting uses
- Multi-stakeholder involvement
- Displacement & resettlement

Major Objectives

www.baitarani.org

- Comprehensive appraisal of policies and institutions in the basin along with state of present governance
- Intensive investigation into property rights, environmental governance, gender and NR-based institutions

Specific Objectives

www.baitarani.org

- Appraisal of traditional and existing water management and governance systems
- Access, management and control of NR's and legal implications
- Ensure stakeholders' involvement and public participation in basin resource management
- Analysis of issue of displacement, resettlement, rehabilitation, compensatory afforestation

Methodology

www.baitarani.org

- Secondary Review and References
 - Conceptual Understanding - Normative
 - Other Basin Experiences
 - Web-search and Peer reference
 - Methodological issues
 - Basin Appraisal
 - Govt statistics, Policy documents
- Collation, Analysis and Issues identification
- Primary data Collection
 - PRA, FGD, TAI
- Peer Consultation - LAB

Conceptual Contextualizing in Basin Context

www.baitarani.org

- Rights-based Approach of Dev
- Democratization of NRG
- Property Rights Regimes
- Equity & Gender
- Resource Use Conflicts
- Access Initiatives in context of Environmental Legislation

Policy Analysis

www.baitarani.org

- **Core Value**
 - Principle 10 lists three fundamental “access rights” that empower citizens: access to information, opportunities to participate in decision-making, and avenues for seeking redress and remedy
- Analysis of water, forest, land, mineral and environmental policies in basin context

Key Policy Position	Basin Situation vis-à-vis Rights and Governance
State Water policy – judicious allocation of water and quality maintenance of water	A large number of basin inhabitants using the surface flows including river water not fit for drinking as per PCB norms
Provision of flood protection and drainage facilities	Absence of effective flood forecasting system; Continued presence of large number of villages on the inner side of embankments; Loss to crop and habitat due to escapes; lack of maintenance of embankments, drainage structures and participation of community there in; involvement of multiple agencies and lack of institutional coordination
Flood preparedness and damage control as per state disaster mitigation policy	Lack of involvement of PRIs in Flood Preparation Committee, Inadequate percolation of capacity building benefits to communities; lack of availability of infrastructure; very limited response time
Revenue policy of preventing land alienation from Tribals : OSATIP (Orissa Shedule Areas Transfer of Immovable Property (by Scheduled Tribe) Regulation, 1956	Limited land ownership and limited ownership of better and irrigated land by the tribal; lack of regularization of customarily owned lands on hill slopes used for shifting cultivation; diversion of such lands for compensatory afforestation
NTFP Policy resolution of the state devolving rights to PRI	Lack of awareness about the same by the communities as well as many PRI
Environmental Legislations offering immunity against pollution	Negative impact on health of mining workers, non-observance of mine safety and regulations concerning environmental and human health; higher air pollution by sponge iron industries and ore transportation; water pollution by domestic, industrial and agricultural pollution; land pollution by mine waste

Basin Facts

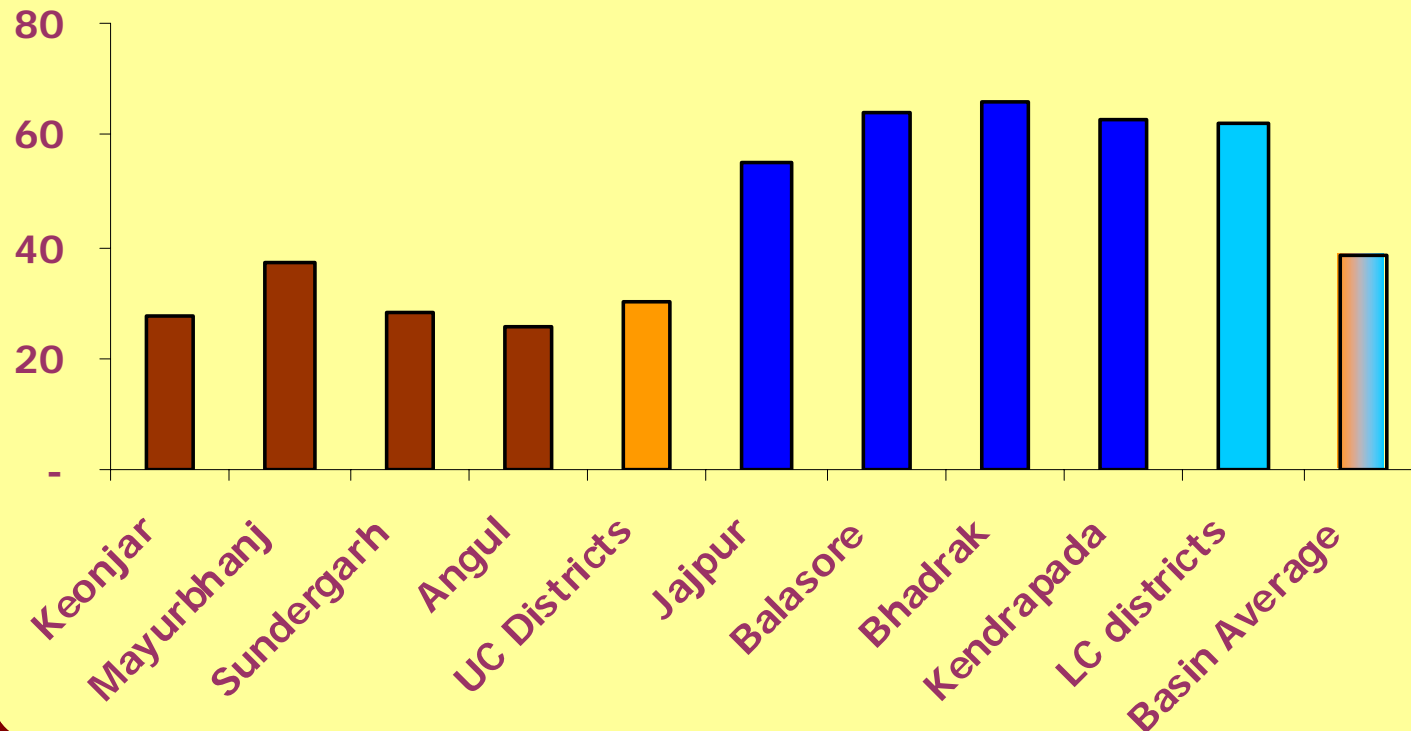
www.baitarani.org

- Home to 10.25 lakhs are S.T. (27 %) and 6.6 lakhs are S.C. (18 %) community
- Out of the 13 primitive tribal groups inhabiting Orissa, four are indigenous to Basin area: Paudi Bhuiyans, Birhors, Juangs, Hill Kharias
- Tribal rights over land and forest resources are severely restricted though tribal's dependence is quite high on these resources to eke out livelihood

Land ownership: Deprivation of Uplanders

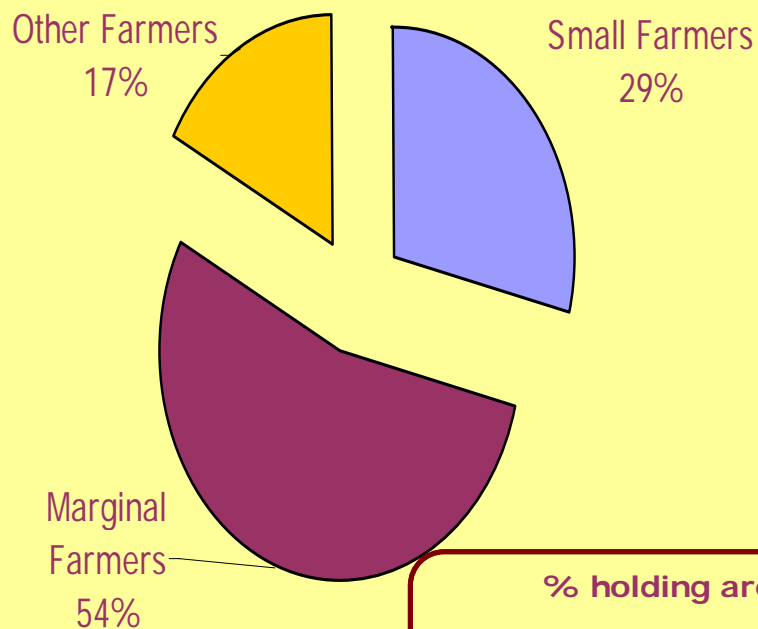
www.baitarani.org

Percentage of private holding area to total geographical area



Agri
Census, 199

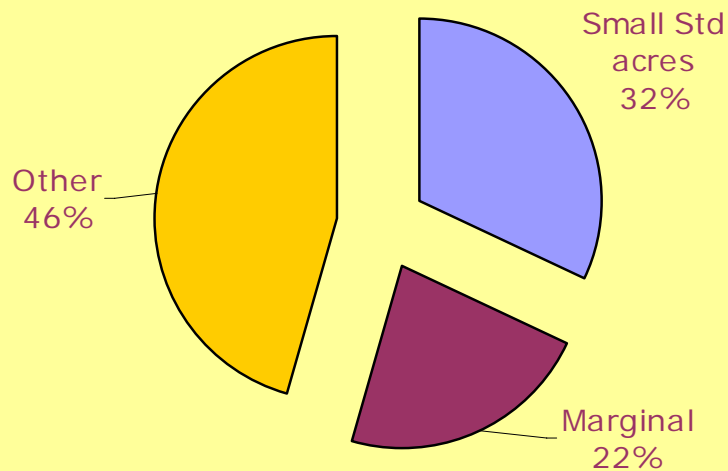
Class Distribution of Farmers in the Basin



The Class effect

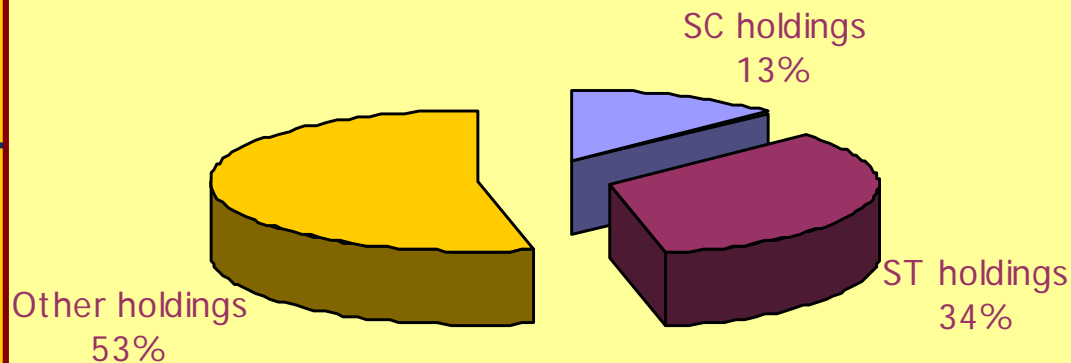
www.baitarani.org

% holding area (in standard acres) owned by class groups



Agril Census, 1996

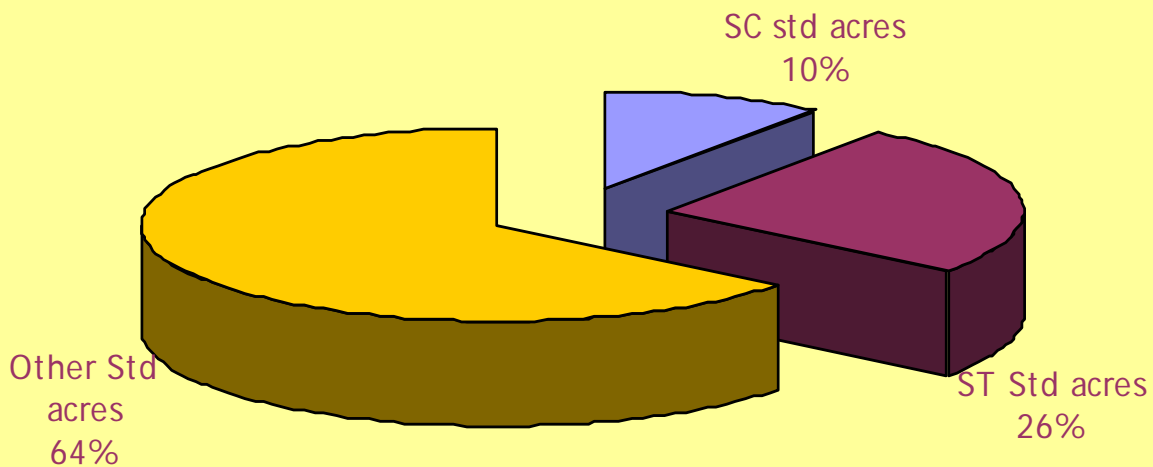
% no of Holdings owned by caste groups



Caste bias!

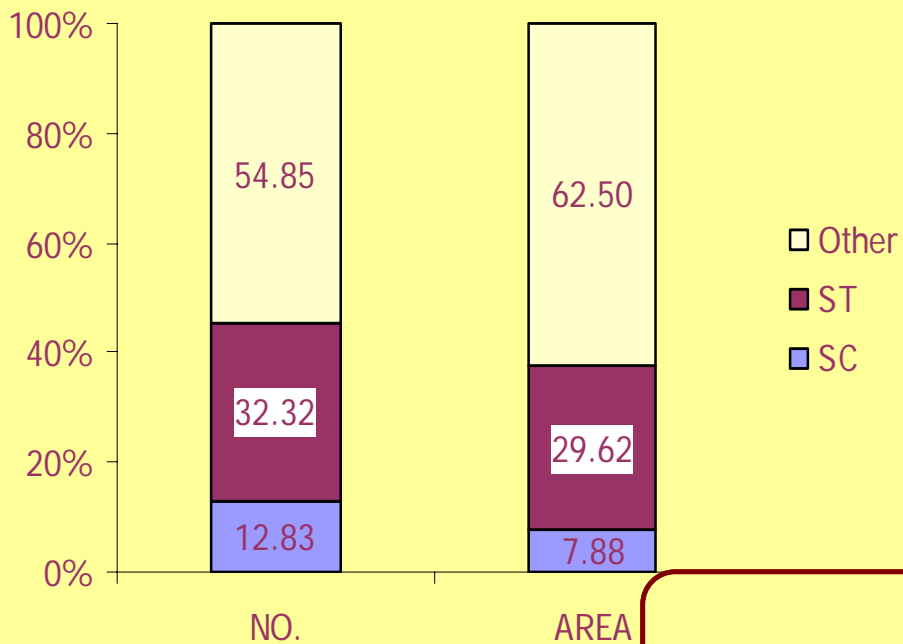
www.baitarani.org

% holding area (in standard acres) owned by caste groups



Agril Census, 1996

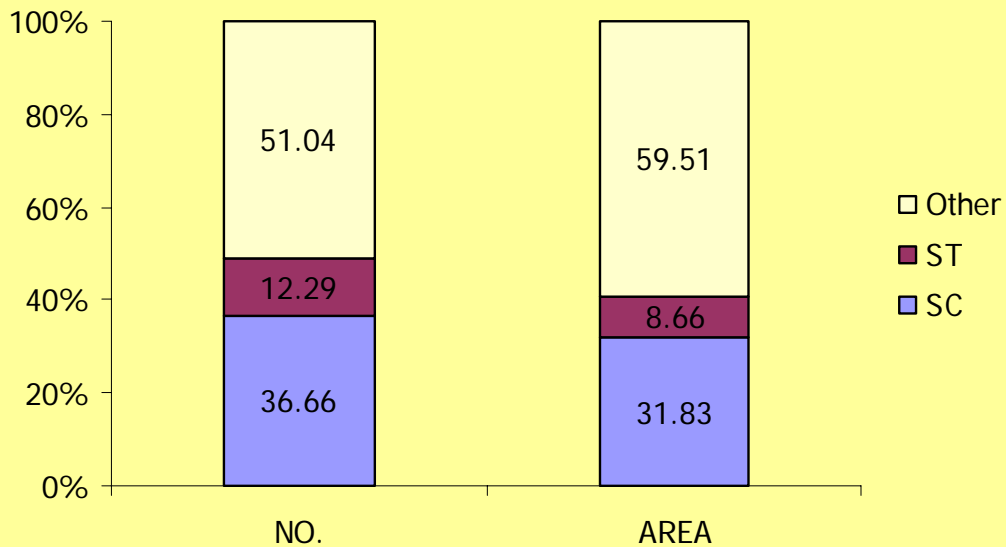
Wholly owned and self operated holdings



Marginalized!

www.baitarani.org

Wholly Leased In Holdings



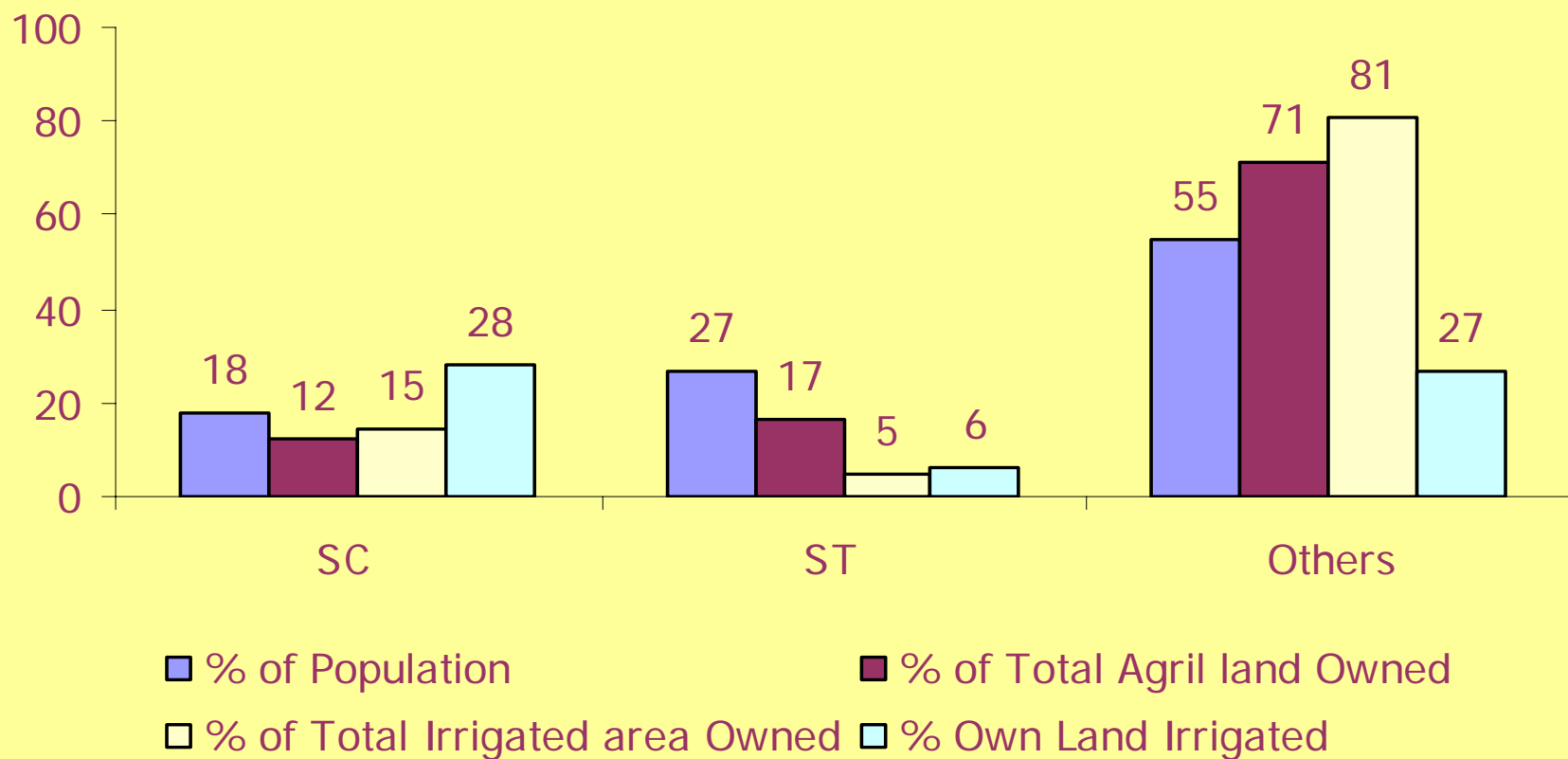
Agri Census, 1996

Nail in Coffin!

Agril Census, 1996

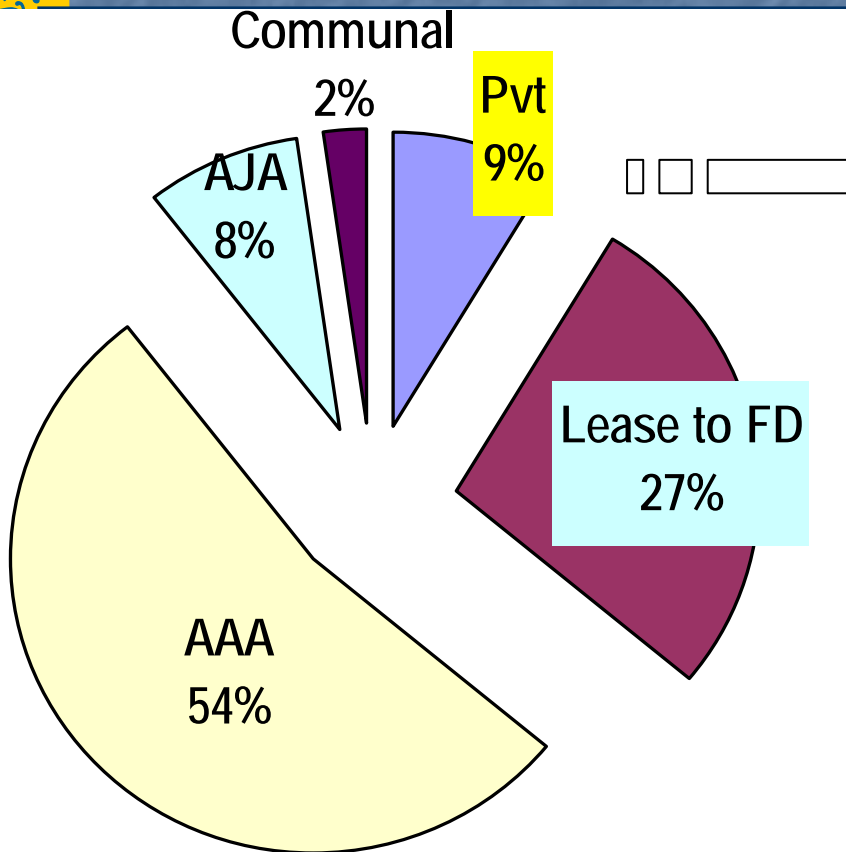
www.baitarani.org

Social Category-wise irrigated area

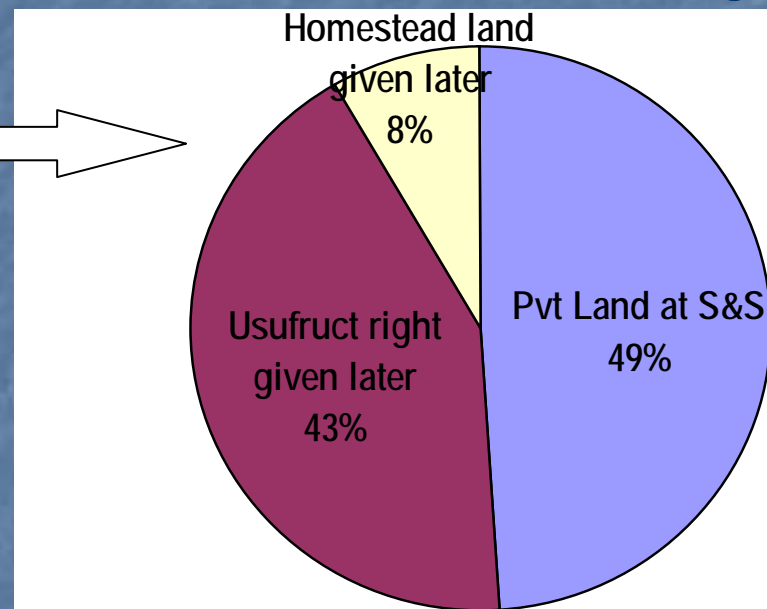


Can be even worse

www.baitarani.org



Land Ownership in Kadalibadi

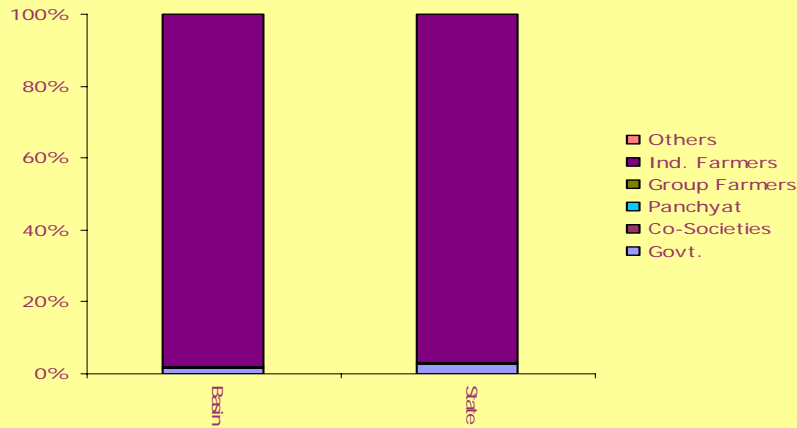


Ownership of Pvt Land in Kadalibari

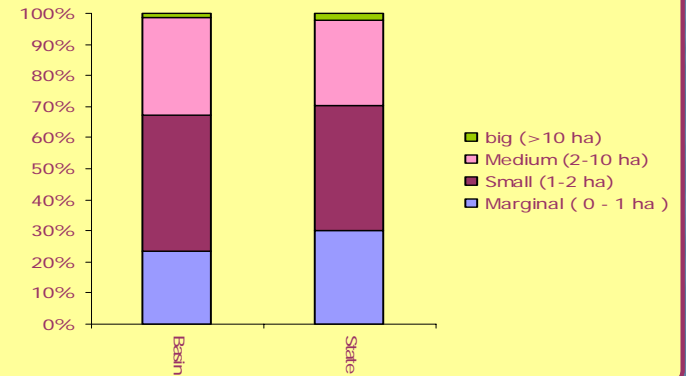
Water : Shallow tube Wells

www.baitarani.org

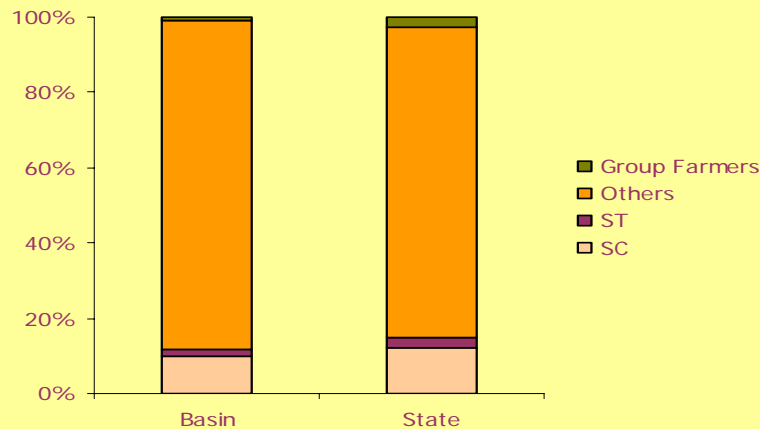
Distribution of Shallow TW according to the Ownership



Distribution of Shallow TW according to the Farmers holding size



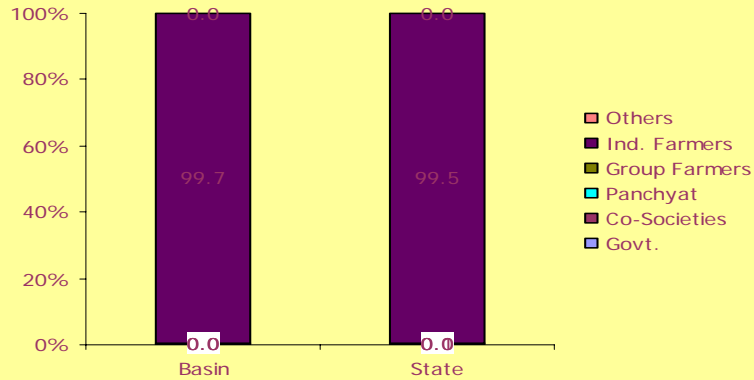
Distribution of Shallow TW according to the Social status



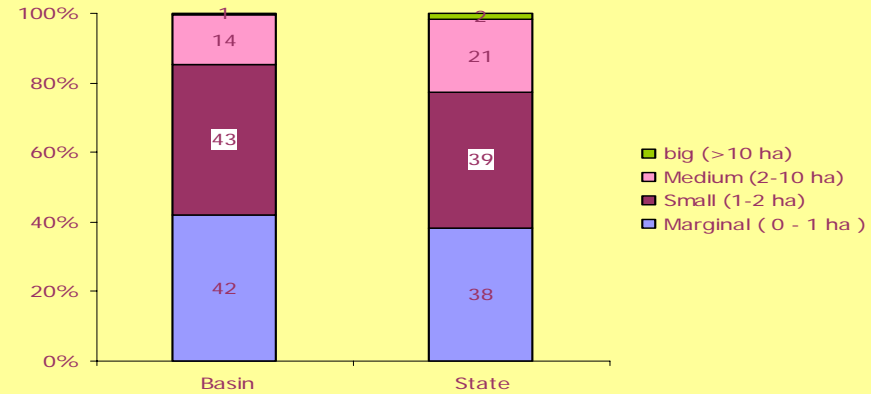
MI Census, 2001

Water : Dug Wells

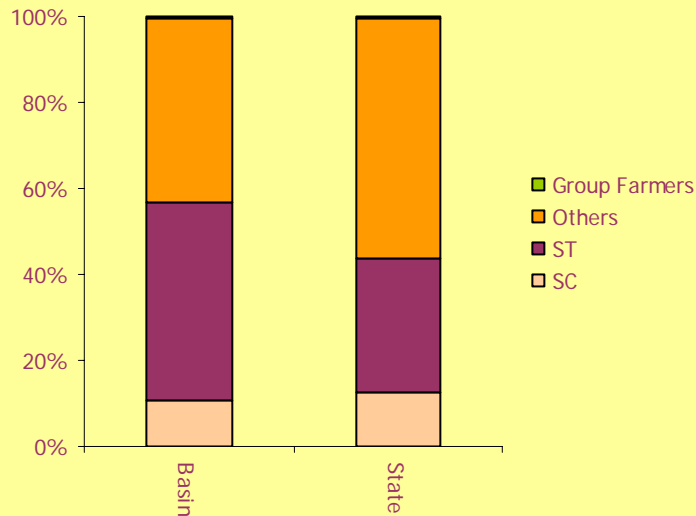
Dug Wells according to Social status



Dug Wells according to Farmers holding size



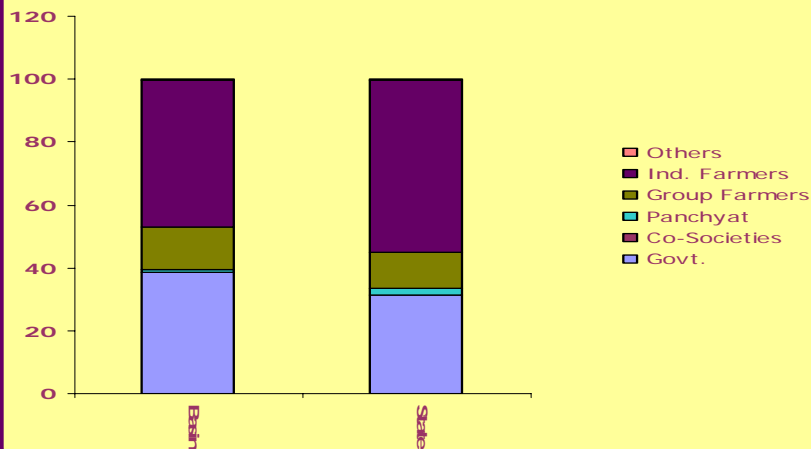
Distribution of Dug Wells according to the Ownership



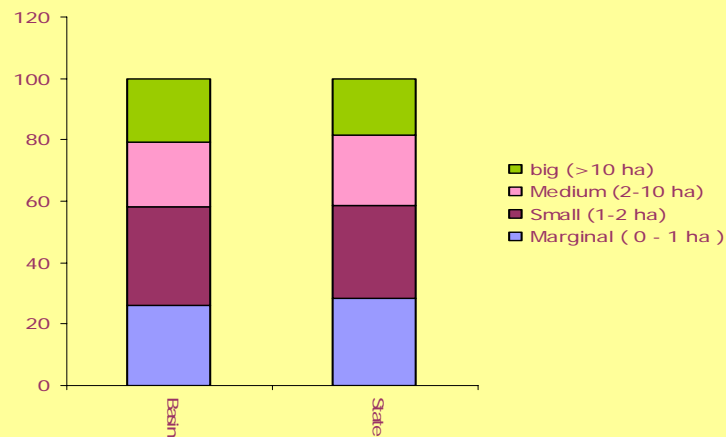
Water : Surface Lift

www.baitarani.org

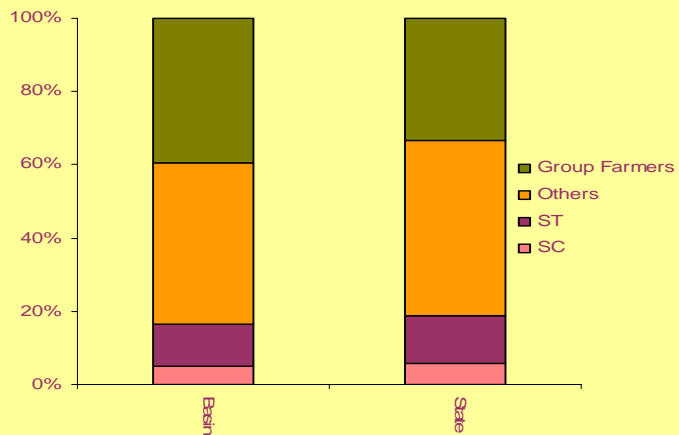
Distribution of Surface Lift Schemes according to Ownership



Distribution of Surface lift Schemes according to the Farmers holding size



Distribution of Surface Lift Schemes according to the Social status



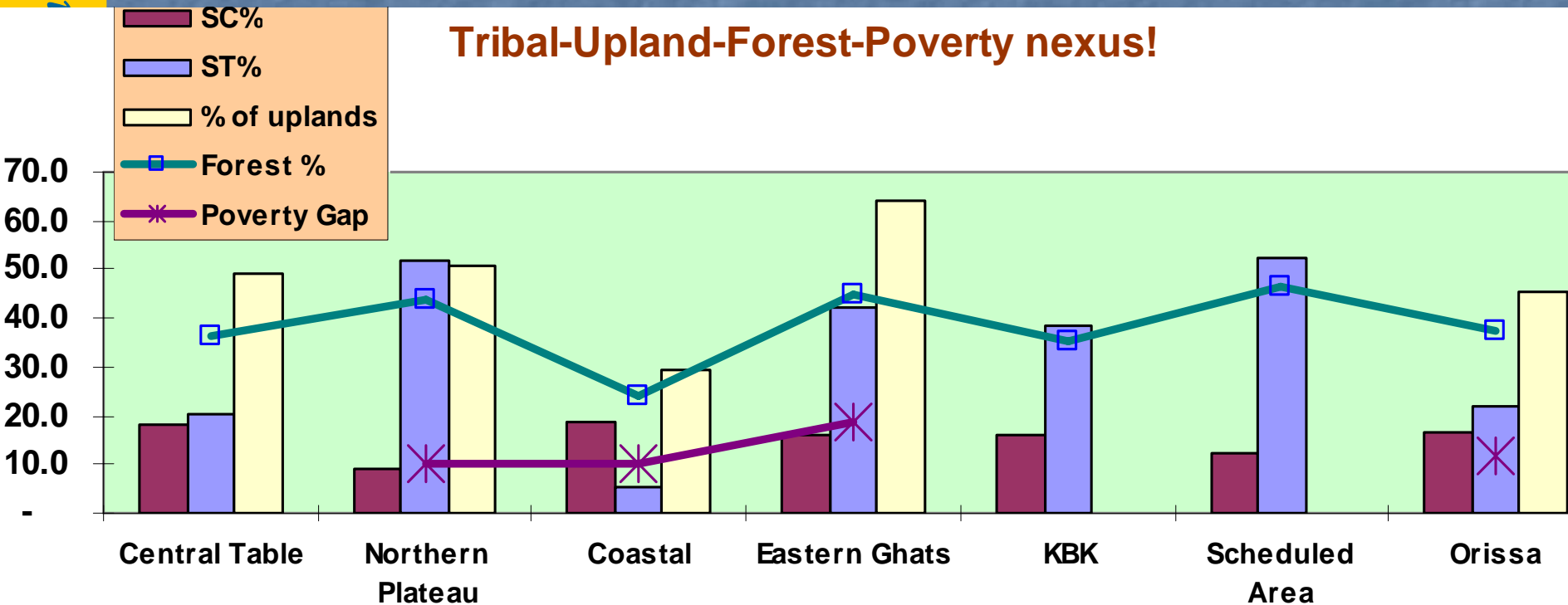
MI Census, 2001

Forest

www.baitarani.org

- Forest dependence
- Rights issues
 - Customary rights alienation
 - Forest villages and forest cultivation
 - VSS rights – boundary issues, forest unit
 - Tribal Forest rights Bill
- Governance
 - JFM and CFM
 - Awareness
 - Democratization
 - FDA

Tribal-Upland-Forest-Poverty nexus!



ISSUES SCOUTED DURING FIELD VISITS



LAND ISSUES



Upper catchment	Middle catchment	Lower catchment
<p><u>Tribal Land alienation</u> Lands already under shifting cultivation or <i>toila</i> on hill slopes not settled in favour of the tribal cultivators & such lands were recorded as encroachments Massive land transfers for compensatory afforestation in PTG villages coming under Schedule V area Lack of consultation with Gramsabha for land transfers Lack of awareness about the land and R &R policies</p>	<p><u>Displacement and rehabilitation due to irrigation and mining/ industrial projects</u> Resettlement sites are often not suitable or lack traditional livelihood resources of displaced communities Faulty allocation of land for MI project Compensation – inadequate or not-availed of fear Access to arable land and CPR</p>	<p><u>Land loss due to change in river course, flood or embankment</u> Sand casting near escapes, land engulfing by river</p>



FOREST

www.baitarani.org

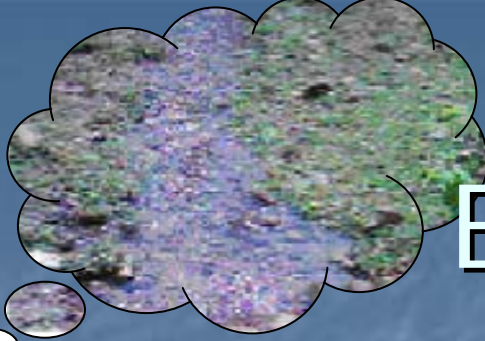
Upper catchment	Middle catchment	Lower catchment
-----------------	------------------	-----------------

<p>Access to forest & NTFP collection and marketing</p> <p>Lack of empowerment and democratization of VSS</p> <p>Lack of awareness about NTFP rights as per recent policy</p> <p>Choice of species for plantation</p>	<p>PRIs lack awareness about their no role in NTFP sector</p> <p>Wild life menance- Elephant attack with breakage of corridors due to irrigation projects</p> <p>Conflict among community/village over access to the village/reserve forest</p>	<p>Lack of options to control monkey menace due to restrictions imposed by forest deptt</p> <p>Harvesting of social forestry plantations</p>
---	---	--

Water & Fishery

www.baitarani.org

Upper catchment	Middle catchment	Lower catchment
Tube wells going dry due to damages to faults/aquifer as a result of blasting in mining areas; Ponds use issue	Conflicts in distribution of water Fishing rights of the rehabilitated community in the reservoirs of irrigation projects Maintenance of irrigation structures	Issues of escape : Drowning many to save some Defunct pani panchayats No access to drinking water during flood Flood and relief/compensation



Environment



www.baitarani.org

Upper catchment	Middle catchment	Lower catchment
Land and air pollution affecting agriculture production	Faulty waste disposal system of the mining industry affecting the peripheral villages Negative impact on health of mine workers due to lack of safety measures	Dependence on polluted surface water for drinking leading to higher incidence of gastro and skin diseases

*.....Towards
socially and environmentally responsible
basin resources management.....*

*Through Information Access
&
Informed Choices*

Thank You!