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# Special Issue

*One year ago... Janadesh!*

On October 18th and 19th, 2008, the heart full of promises and enthusiasm, about 5,000 landless people gathered in Gwalior to celebrate the first anniversary of Janadesh!!

Already one year... Activists from the different states where Ekta Parishad is working have given a feedback on what has been done since last year... Depending on the state, the feedback is moderate but the enthusiasm is always here!

This week-end also was the first anniversary of the death of the three "martyrs of Janadesh" which happened during the march. On October 19<sup>th</sup>, 2007, a driver lost the control of his truck and injured several walkers, killing 3 tribal men and hurting many others. To celebrate the first anniversary of Janadesh is a way to give them a special homage.

On Saturday, the Chief Minister of Madhya Pradesh joined us amidst the "Janadesh Zindabad" song (long life to Janadesh)... He reaffirmed that his only mission is the good governance for the poor and the needy... He has reaffirmed that he does not want to lose the contact with village people and with the reality. He has also insured that everybody would receive land titles. Eventually, he encouraged the landless to continue their struggle saying that he feels one of them when he comes and meets them.

Sunday. After Rajaji met all the groups from each state, the rally has started... a little over than 5,000 landless people... Of course, we only walked across Gwalior and it was not as big as Janadesh but it was full of souvenirs... At Phool Bagh (the arrival point that day, and the departure point for Janadesh), different tribal leaders gave a speech. Among them, the now well-know (among the Ekta Parishad supporters of course!!!) Shikari Baiga...

Shikari is an about-20-year-old young man with sparkling eyes full of dynamism and hope... After Janadesh, he received the responsibility of 10 villages to coordinate Ekta Parishad's struggle...

Of course, among the participants were also Subha Raoji – a famous gandhian activist –, Parikhji – Gandhi's great-grand-son-in-law – and many others.

At the end of the week-end, Rajaji declared the next step... Let's meet in 2012 with 100 000 people!! If Janadesh aimed to implement the National Commission on Land Reforms, Jan Mukti will aim tout make the laws be implemented! The activists took a pledge to dedicate their energy to this new step! It was a while of strong emotion to see all these hands raised in one same vow and in a same hope to be able some day to receive a piece of land synonymous of justice and dignity.

## Land Acquisition (Amendment) Act 2007

The law still in discussion comes to amend the Land Acquisition Act 1894. This Act treated land as a commodity bought and sold for the benefit of the few— so-called “development projects” – while completely disregarding the value of the land beyond the merely monetary—i.e disregarding the fact that for the displaced persons, the land is more than a land. It is an history, a culture, a home. It is food for their families, it is a community, a place for their children to grow. These values cannot be measured by market rates. Consequently, in 2007, the Minister of Rural Development suggested several amendments for the Act 1894 that addresses the interests of destitute communities. The new act first starts by defining the expression “cost of acquisition” in order to ensure that the organizations working for peoples’ land rights could have a legal grounding to better argue for rights and benefits of the project affected people. The amended Act calls for a social impact assessment to be carried out in each project affected areas. Each state will have a Land Acquisition Compensation disputes Settlement Authority that will have the same power of a civil court at some extent, making all the efforts to solve the dispute within 6 months. One same authority should be implemented at the central level.

Another important amendment is that the definition of “persons affected” has been expanded to include the tribal and traditional forest-dwelling communities as well as people having tenancy rights. These groups are the most affected by land acquisition and the most excluded from a fair compensation.

While a commission is still working on this new amended Act, it should be approved soon in 2008.

## The Rehabilitation and Resettlement Bill, 2007

The National R&R Policy was enacted in October 2007 to replace the previous R&R policy, 2003. It was developed to add provisions so that the needs of the affected communities could be addressed more effectively. Land acquisition for public development often means the loss of everything: land, livelihood, shelter, with social, cultural, economic and emotional impacts for displaced people. All these aspects must be addressed in the case of resettlement. The Bill proposes the introduction of Social Impact Assessment of projects which shall take in consideration the impact on public and community properties, assets and infrastructures (roads, water, grazing land, etc.). An Administrator is in charge of minimizing displacement of persons, consulting with affected persons, ensuring the protection of the interests of the adversely affected persons of the Scheduled Tribes, arranging land for rehabilitation and resettlement, and other tasks in order to ensure a fair rehabilitation. A Rehabilitation and Resettlement Committee shall also be constituted with representatives of the weakest parts of the society (women, Schedules Tribes and Castes from affected areas), under the chairmanship of the Administration.

## The (Recognition of Forest Rights) Act, 2007

Before the Forest Rights Act 2007, the forest-dwellers were constantly threatened by potential harassment, extortion or arbitrary evictions, results of the two previous forest acts that were more concerned by the declaration of reserves, natural parks, tiger reserves or wildlife sanctuaries than by the people’s rights to live in the forest where they have always lived and where they find the livelihood they depend on.

The implementation of this new Act in January 2008 recognizes and gives forest rights, as well as rights to occupy forest land, to

scheduled tribes and traditional forest dwellers. The Act states that forest dwellers will only be relocated if there is no other alternative. Resettlement packages should ensure that a “secure livelihood” for the affected people is provided. Unfortunately, this Act can be seen as very controversial as there is no definition of what “secure livelihood” means, as well as it does not clarify what kind of compensation will be offered to the tribal people. In the same way, the Act specifies that Forest Dwelling Scheduled Tribes will be granted forest

rights only in places where they are scheduled which could lead to denial of rights to tribal communities on the grounds if they do not reside in a scheduled area.

On July 4th, 2008 many experts and organizations gathered to evaluate this Act and draw up some recommendations and pressurize the Government to improve this act, even though this Act provides rights and legitimacy to claim for possessed land and forest produces as well, directly benefiting for about 10 million tribal families and forest dwellers.

**Read more about these laws in “Janadesh and way forward...”, available online (in English) or on request (in French)**

*On October 16th, 2008, the first draft of a new Land Reform Policy has been submitted by the Commission on Land Reforms to the Ministry of Rural Development.*

*These are a few lines based on the introduction of this draft - **An Agenda to Reform Agrarian relations for Equity and Efficiency in Contemporary India** - for a better understanding of what would be the new policy required by thousands of landless during Janadesh.*

**I**t is common knowledge that access to land is of critical significance in large parts of India and the entire economic, social and political networks revolve around it. Land provides not only economic sustenance but often plays a key role in enhancing the prospects of substantive citizenship in much of rural India. Thus the issue of land rights and access to natural resources must be envisioned not in narrow economic terms but as basis for larger well-being.

It is well-known that land reforms play an extremely important role in accelerating growth and in poverty reduction.

In what continues to be primarily an agriculture based economy, rural poverty and well-being remain closely tied to questions of land ownership and control. The imperative for land reforms derives firstly from the Constitutional mandate for equality before law and the primary duty of the state to ensure redistributive justice. While the constitution of India has been declared right after the Independence, nearly sixty years later, in 2004, the UPA Government declared that 'landless families will be endowed with land through implementation of land ceiling and land redistribution legislation. No reversal of ceiling will be permitted'. But still, laws are not working well and ceiling is easily twisted. While the ceiling is supposed to restrict land owning—limit varies from State to State -, there are still 10 percent of medium-to-big landlords owning 57 percent of land while the number of marginal holdings is increasing.

The changes in overall macroeconomic policy regime since the early 1990s may have significantly contributed to acceleration in loss of land and other critical natural resources from the vulnerable segments of the country's population.

After independence, as is well-known, the State recognized the vital link between land and livelihood of the masses in rural areas and launched land reform measures, but such measures in most parts of the country have fallen dramatically short of their objectives. Inequality in ownership has worsened between 1992 and 2003-04.

The overall trajectory development including the State owned mega projects relating to infrastructure and industrialization, and recent changes in legal statutes regarding ownership and acquisition of land by private enterprises have further increased the share of landless and marginal farmers. The anxiety of rapid industrialization has acquired a new thrust in the period of economic reforms. Hundreds of thousands acres of protected & scheduled areas are purchased from the small farmers in the name of mining and industrial projects, an unplanned urbanization, many Special Economic Zones (SEZ) and Special Tourism Zones, leading to many displacements of mainly tribal population.

Subsequent to Janadesh footmarch, the Prime Minister's office of the Government of India initiated the formation of Committee on State Agrarian Relations and the Unfinished Task in Land Reforms under the chairmanship of the Minister for Rural Development, Dr. Raghuvansh Prasad Singh. To lay down broad guidelines and policy based on the recommendations of the above mentioned Committee, National Council for Land Reforms was also constituted under the chairmanship of the Hon. Prime Minister Dr. Manmohan Singh on 9<sup>th</sup> January, 2008.

It was reiterated in the first meeting of the Committee that good governance in land administration and effective management of agrarian relations are important catalysts for poverty reduction and economic development.

Ignoring just aspirations of the masses in rural India for inclusive development would only entail huge economic and political costs.

Thus, land has multiple purposes to serve. As mentioned in the foregoing the process of rapid industrialization has resulted in acquisition of land on a large scale and displacement of population. Industrialization is important for the development of the country but it can not be supported at the expense of agriculture and the basic rights for land and livelihood of the population. Thus it is very important that every state clearly demarcates land to be used for different purposes.

# Leaders' words

Gwalior, October 19th, 2008 - Hindi-to-English Translation given by Pradeep



## Rajkali, Ekta Mahila Manch

“In Janadesh, around 600 women were accountable to their groups from 50 to 5000. They provided leadership to the Janadesh. Women leadership is one of the major tasks of the Ekta Mahila Manch [the women's wing of Ekta Parishad] and we are focusing on building this. We planned up to 2012. Then we formed different forums from villages to state to national level. We organized women conferences in different states. Also organized leadership trainings. Our preparations are in full swing for next movement. We are struggling very peacefully and in non-violent manner. There should be peace all around. We are making best efforts to make this happen. We had one meeting in September in Delhi on women's land rights and women deserve more so that goals of goals of women's empowerment could be achieved. Young women are also getting involved. We organized youth camps in different states and public hearings for women for raising awareness among the people.”

## Radhey Lal from Chambal

“I welcome you all. Last year, when we started our march, then our three members sacrificed their lives for this struggle. Despite 2007, we are yet to achieve our goals. We are ready to continue our struggles and we will not back out. We will not tolerate exploitation. The level of exploitation and injustice is very high. This is the final call for Jan-Sangram, we are fully committed for that struggle. We will take along farmers, labourers and workers and all deprived sections of the society. We are not going to beg after 60 years [of Independence] but rather we will fight together. This is struggle for land, life and dignity. Whatever repression is happening all over, we have to stand up. We need control over natural resources, over land, water and jungle.”

## Shikari Baiga from Chhattisgarh

“Jai Jagat! My name is Shikari Baiga. From Chhattisgarh. Last year, when Janadesh was announced, we marched more than 350 km and we gave order to the Government that there was a ripple effect all over India. Earlier there were only 25,000 persons. Now we do have to make 25 lakh. If the Government does not keep its promises then it would be Jan Sangram. Ekta Parishad is a big power. We are Ekta Parishad and we will force Government to work for the poor. Give us land and livelihood. Laws must be made for the poor. Government is saying that there is no land. I want to ask from where it brings land for the industrialists. Struggle for land will continue. We have to take Janadesh success to villages. Now elections are round the corner, we have to tell them to work for the poor or else to leave the power. There are natural resources. Government has not created land, forest and water. These are god gifted for livelihood of the people.”

## Post-Janadesh in a few figures... a pace of progress

### At National Level:

- The National Land Reforms Council has been formed under the chairmanship of the Prime Minister along with 7 Cabinet Ministers, 10 State Chief Ministers and 8 land experts and members of the civil society.
- The National Land Reforms Council works under Chairmanship of Union Rural Development Minister along with 10 Senior Land Commissioners & Secretaries and 10 land experts and members of the civil society.

### At State level:

- Till June 2008, about 6,86,892 claims have been registered and about 2,28,000 land entitlements have been issued for the tribal & forest dwellers in the states of Madhya Pradesh, Chhattisgarh, Orissa and Jarkhand.
- In Bihar, 8,00,000 acres of Bhudan land have been identified for a re-distribution to the landless and poor families.
- In Chhattisgarh, 42,922 families got homestead land by July 2008.

### An further...

- 5000 young & committed activists participated in Janadesh
- 7 post-Janadesh 'Youth Training' camps have been held in Madhya Pradesh, Chhattisgarh, Maharashtra, Uttar Pradesh, Rajasthan, Bihar and Orissa.
- Ekta Parishad has expanded in new geographical areas i.e. Uttar Pradesh, Maharashtra, Uttarakhand, Rajasthan with nearly 500 new villages.
- A very successful model of 'Campaign with/ by People's Contribution' has started when 2000 qtls of food-grain and 14,00,000 rupees was donated by marginalized communities involved during Janadesh.



October 19th, the landless yatrees reach Phool Bagh



Rendez-vous in 2012 with 1,00,000 landless...



About 5,800 landless and activists walk in Gwalior

## Madhya Pradesh: 12,000 applications for land titles

After Janadesh, we worked on the Forest Rights and formed several Forest Committees, which were very effective. I would say that this is around 90 percent successful. There was a Forest Rights Campaign and we reached around 1,800 villages directly and around 5,000 villages indirectly. Much assistance was given in terms of administrative work. The Chief Minister also relaxed many things that eased the entire process. Then a state level campaign was conducted highlighting different issues before Divisional Forest Officer and other officials as well as to the civil society. Now, around 12,000 people have applied for entitlements.

People are asking for another Janadesh. Whenever there will be another Janadesh, 25,000 people will go for it. We got a lot of strength from Janadesh. There is a sense of empowerment and people are going for dialogues with the officials. Chambal is a land of peace and we are inspired by Bhaiji and Rajaji and we will carry forward this struggle.

## Bihar: Successful nine-month satyagraha

A victory procession was organized in 13 districts of Bihar and we informed all people about the Janadesh. We are working in central, north and magadh area of Bihar. We formed committees on the Forest Rights and provided information about the Act. We also made strategies about how to get benefits from the forest act. In Danapur, there were nine-month satyagraha on the land rights and we succeeded in that. People have got land. 400 families were uprooted in one district of Bihar and they were rehabilitated after struggle and joint title was given to both men and women. People are getting aware about their rights and those who are living in the forest are also getting organized. Now, whenever forest officials come to repress them, people display a copy of the Act and other evidence that has restricted harassment. Now on the common land in the forest, collective farming is happening with maximum number of the women beneficiaries. We are saying that if promises are not kept, we will march again. We are preparing for next march and more than 25,000 people will participate.

## Orissa: land problem needs urgent consideration

There are many problems in Orissa and landless problem is the severe and needs urgent attention. We are struggling for many years but have not got our rights. Though, forest act is there but it is not being implemented properly in the states. 7,800 families have to joint titles. Forest rights committees have been formed and more than 10,000 applications have been collected. Now we are going to each and every village so that specific problems could be addressed and resolved. Our struggle will carry on.

## Tamil Nadu: to secure the future of our children

We are struggling with the government officials and after Janadesh, we got success in land distribution to significant number of families. We are fighting for 2,000 acres land distribution.

With Janadesh, we are now pressing for mining leases to the poor and needy people not to the rich ones. Tsunami rehabilitation work is also going on in full swing. We are fighting in the court also for land distribution. We need land for cultivation and our sustainable livelihoods as well as secure future for our children.

## Kerala: ready for a local Janadesh!

A big rally was organized that was covered in the media. CM has directed to take back land from big landlords and redistribute it to the landless. We got courage to launch second wave of land reform in Kerala. We are going to organize a Janadesh in Kerala.

New and neutral committees have to be formed so that right people get the benefits. The forest act is fine but there are many problems in terms of implementation. We are trying to make it people friendly to ensure more effective implementation. After Janadesh, more people are supporting our efforts.

## Chhattisgarh: still lot of hope despite a slow process

When there was no forest law, there was a lot of repression of the peoples' rights. We took collective action in Janadesh preparation and then we did continuous struggles from time to time and joined Janadesh. Forest officials spread a lot of misinformation and tried to spread a sense of fear among the villagers. But, there was coverage in the media and villagers bid wonderful farewell to the padyatrees.

Three-tier Forest Committees were formed in Chhattisgarh. 37,000 applications were collected and sent to the committee. In 12 districts, we conducted jeep yatra and cycle yatra and did info dissemination. In the committees, more than half of the members are our members.

But land has not yet been granted and it is still very slow. Public hearing was done with 4,000 people. It's a challenge to provide evidences and we have sent a memorandum to the Chief Minister (CM) and requested for informal evidences. It was accepted by the CM. 52 rallies were organized. Struggle will go on.

## Jarkhand: a new campaign in November

When we went back from Janadesh, the biggest achievement was that of sense of collectiveness and solidarity among the members. Then we made six monthly work plan and in 115 villages, we focused on making organization stronger. We worked on this till February and organized many rallies and then two trainings in May and June on land rights as well as forest rights. Then we made strategies. Then we had public hearing in all areas of the state. Issues were highlighted and got some support from the government support but not all over.

In September, we had cycle rally and we invite all from all over India in Dhanbad where we will have a campaign on November 8, 2008.

We also worked on rehabilitation due to mindless industrialization in the area.

**These state-based feedbacks have been made on October 18th, 2008 in Gwalior by the conveners of each state.**

## Ekta parishad

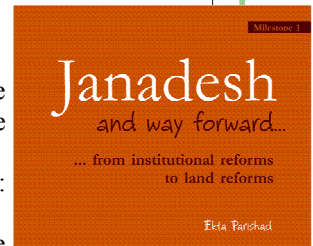
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« *Well being of all for the well being of the last* »



## Janadesh... And way forward

Thanks to Shannon's work we got the chance to print a good publication on the steps following Janadesh. You can download it on our website: [www.ektaparishad.com](http://www.ektaparishad.com) A French version is also available that we can send it through email if you request it.



## Portrait: Shikari, a *Janadesh-born* leader



Everybody remembers him... With his youthfulness, his sparkling eyes full of enthusiasm, and his steadfast thirst of bringing justice to his Baiga tribe, Shikari Baiga is what we could call a *Janadesh-born leader*. He has devoted himself in the cause of Janadesh and from a simple very young villager, he has become a respectable Mukhia (village leader) and recently he has been given the responsibility of 10 Ekta Parishad villages. This October 18th, he was there, in Gwalior with some of his tribal village. With a big smile, he explained us what has been the life in his village since Janadesh.

“ We participated in the full march of Janadesh and when we went back to our village, we have spread the message that we heard there. We have told the villagers that the Government agreed with our demands. There is a law which is existing now which will support us. We have organised ourselves at the district level to struggle. We have been to the District administration saying that there was a Forest regulation which has been passed and they have to implement it. The district authority has promised to include us whenever there is a survey [up till now, the Baiga tribe, as many other tribes, was not taken into consideration whatever the survey. These surveys aim to look for people who need to fill a claim in case of litigation.]. Ekta Parishad would be with us. We also organised a cycle yatra to pressurize the local administration to constitute a forest committee and to implement the law. We have been to meet the Chief Minister and the Chief Secretary to give petitions regarding

the Forest law. The first basic achievement afterwards is that we have effectively put in the survey as soon as it has started and we have been to fill up 203 claims from 10 villages. From my village, we have filled 14 claims in the name of Baiga tribe. As the lowest level of administration did not do anything, we had to go to meet the Chief Minister and the Chief Secretary.

Presently, titles are ready but their distribution is stopped by the powerful people of the village. That is why in June 2008, we have filled cases in Court against these people who graze off our crops to threaten us. We organised a public hearing regarding this big problem and accused persons were there.

After Janadesh, we got more strength and more courage to organise such a struggle. We are not going to leave the struggle!”