

Livelihood Issues in Satkosiya Gorge Sanctuary, Orissa

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I Background

Protected areas are governed by the Wild Life Protection Act (WLPA), 1972. The Indian statute for wildlife conservation is based on the western notion of wilderness, which views humans as intruders thereby practicing principles of exclusion for wildlife conservation. This exclusion has been extended to people who have cohabited wildlife habitats for centuries. This has had a major impact on the lives and livelihoods of forest dwelling, particularly tribal, communities living within and around protected areas. The underlying conflicts have been aggravated by recent judicial pronouncements and amendments to the WLPA in 2003.

Summary of recent judicial orders and legal amendments

Upto early 2000, the villagers' rights over forest products (including to timber) could be, and were, admitted in WLSs under the Wild Life Protection Act (WLPA), 1972.

On February 14, 2000, the Supreme Court in Interlocutory Application (IA) 548 in the Godavarman (forest) case (WP No. 202/95) passed an order restraining state governments and their agencies from ordering the removal of dead, dying or wind-fallen trees and grasses etc. from any national park or sanctuary. The court direction was a response to orders by the governments of Karnataka and Uttar Pradesh for the removal of timber from protected areas under the guise of its being dead, dying and diseased.

Instead of filing a review petition seeking exemption for legally admitted rights in WLSs, the MoEF has interpreted the court order to mean that **“rights and concessions cannot be enjoyed in protected areas (PAs)”** – in a sense accepting the court order as overruling the then existing law. Thus, while the court wanted to stop the state from extraction of timber and such resources from PAs, the MoEF has used its order to issue blanket restrictions on one and all from extracting any resources or exercising any rights in PAs even by local communities.

As if this was not enough, the SC appointed Central Empowered Committee in its letter dated July 2, 2004, to senior administrative and forest officials of all states and Union Territories, has stated that, ".A number of instances have come to the notice of the Central Empowered Committee where felling of trees/ bamboo, digging of canals, mining, underground mining, collection of sand/boulders, cutting of grass, collection of minor forest produce, grazing, construction, widening of roads etc. have been allowed to be undertaken in protected areas without obtaining permission from the Hon'ble Supreme Court. You are requested to ensure strict compliance of the Hon'ble Supreme Courts' order so that none of the above prohibited activities are allowed to be undertaken in protected areas". Thus, activities like tree felling, mining, and road construction have been clubbed in the same category as grass cutting, grazing and collection of minor forest produce without making any distinction between the two. It is to be noted that many state Chief Wild Life Wardens and forest officers are equally unhappy about this development. During the recent forest ministers conference in Delhi, forest ministers and officers from several states objected to the CEC's order pointing out the hardship it is causing to forest dwellers and the difficulties they face in enforcing the same. They requested MoEF to seek an amendment to the Court order.

The situation has been further compounded by the amendments made to the WLPA in 2003. Section 18-A(2) of the amended Act states “Till such time as the rights of the affected persons are finally settled under sections 19 to 24 (both inclusive), the State Government shall make alternative arrangements required for making available fuel, fodder and other forest produce to the persons affected, in terms of their rights as per the Government Records”. According to this, with the government simply declaring its *intention* to notify an area as a PA, people shall be prevented from exercising their rights although the provision of alternatives is to be ensured. There does not seem to have been any case where such alternatives have been provided despite the amended Act having been in force for 1.5 years already. However, there are widespread reports from the poorest regions of the country of forest dwellers being deprived of their customary rights through use of brute authority.

The ban on NTFP and other forest produce collection from Wild Life Sanctuaries (WLS) is one of the most serious threats to the food security and livelihoods of already impoverished and marginalised forest dwellers. The case study of the Satkosiya Gorge WL Sanctuary in Orissa below illustrates this and related issues.

II Introduction: The Satkosiya Gorge Sanctuary is spread over four districts of the state viz. Angul, Cuttack, Nayagarh and Boudh, The total area of the sanctuary is 795.52 Sq. kms. The State government had issued a preliminary notification (u/s 18 of the WLPA, 1972) declaring its intention to constitute the Satkosiya Gorge Sanctuary on 19th May 1976. To date, the final notification u/s 26 of the WLPA has not been issued, as the process of settlement of rights of the people living in the area has not been completed.

There are a total of 102 villages inside the Satkosiya Gorge Sanctuary area of which 99 are revenue villages and 3 are ‘forest’ villages¹. As per the 1991 census the total population of these villages was 31,585. (see annexure-II for details). Apart from the villages located inside the sanctuary, another 195 villages are located on its periphery within a 10 km radius.

Villages Inside the Sanctuary Area		Villages Outside the Sanctuary Area	
Revenue Villages	94 ²	Within 5kms	80
Forest Villages	03	Beyond 5 Kms and within 10 kms.	105
TOTAL	97	TOTAL	195

III Issues related to the lives & livelihoods of Local People:

There is high livelihood dependency of local people on forests and forest products in the sanctuary area due to the following reasons:

- More than 70% of the Sanctuary area is covered with continuous hill ranges and dense forests. There is very little land available for agriculture in the villages inside the sanctuary because of which agricultural production provides only three to four months of food in an year.

¹ Forest villages were earlier set up by Forest Departments themselves for ensuring the availability of labour for forestry operations.

² One of these is a cluster of 5 villages because of which the actual number of villages is 99.

- According to local people, over 40% of the total agricultural land is kept fallow due to depredations by elephant herds. In some villages, the land kept fallow is over 80%.
- Remoteness and absence of alternative employment sources has kept the inhabitants within the sanctuary highly dependent on the forests for supplementing both subsistence and income through collection of forest products. Bamboo harvesting and bamboo basket making, collection, processing and sale of sal and siali leaves and kendu leaf collection have been major sources of income.

IV Restriction over Collection of Forest Products:

Although the area was declared a sanctuary in 1976, there was no restriction over collection of forest products like Kendu, Sal and Siali leaves, Sal seed, edible tubers, fuel wood etc., from the forests till 1992. Since then, increasing restrictions by the wildlife authorities over forest product collection and harvesting have drastically affected the livelihoods of local people.

4.1 Bamboo harvesting: Bamboo harvesting, originally by paper mills and later by Orissa Forest Development Corporation (OFDC), was an important livelihood source. For the first time in 1992, bamboo harvesting was stopped. After large scale protests by the local people, the wildlife division re-introduced bamboo-harvesting upto 1996. From 1997, however, bamboo-harvesting was stopped totally. In one stroke, over 5000 families lost at least 8 months (October to May) of wage work every year. During 1988 to 1996, bamboo harvesting provided five lakh person days of wage labor and cash wages of Rs. 15,452,575/- were paid along with rice, oil, and cereals under the World Food Program. On an average, a family used to earn Rs. 4000 to 5000 in a harvest season.

Year	Industrial Bamboo (in bundles)	Commercial Bamboo (in pieces)	
		Salia	Dhaba
1988	738150	270227	4059
1989	542300	315651	13919
1990	598400	319953	788
1991	543000	235725	825
1992	537750	313272	1160
1993	443500	246000	839
1994	566100	239861	3305
1995	297700	172000	1540
1996	460250	170000	3292

(Source: OFDC, Angul)

4.2 Bamboo weavers: Hundreds of Pana families (traditional bamboo weavers), who earned their livelihood from the sale of bamboo baskets lost their primary source of livelihood.

4.3 Kendu Leaves: Kendu leaves from the area are of high quality and their collection and sale provided important income to the poor, particularly women. In 2000, all the kendu leaf *phadis* (collection centres) inside the sanctuary area were closed. 1053 families from 23 villages used to depend on 11 *phadis* for selling kendu leaves.

According to the Range officer, Purunagarh Kendu leaf (KL) Range, while on average each collecting family earned

Year	Total Kerry (bundle)	Cost per Kerry	Total wage labor paid
2000	3605850	0.16	576,936
1999	4049080	0.15	607,362
1997	3883250	0.12	465,990
1996	3913680	0.11	456,596

(Source: KL Range Office, Angul)

over Rs.500 in a KL season, in some villages like Salar this was more than Rs.1000 per family in 1999. During 2000, Kendu leave collection had generated more than 20,000 person days of work over the 25 days collection period. Closure of KL operation in sanctuaries and National Parks (vide GoO Order No. F (L) 12/2000, 12732 F&E, dated 19th August 2000) was a serious blow to local livelihoods in Satkosiya (and other protected areas in the state).

4.4 Other NTFPs: Following the Supreme Court order of 14.2.2000, in 2001 the GoO banned collection of all other forest products including fuelwood, mushrooms, edible tubers, creepers and leaves from the sanctuary area excepting for meeting *bona fide* needs. In the words of Janardan Sahu, the assistant secretary of Satkosiya Praja Surakhya Samiti³: *“In one stroke the inhabitants lost their primary sources of income together with their customary usufruct rights enjoyed by them since long. Sal and siali Leaf collection and stitching, which used to provide employment to thousands of women, was also banned in 2001. How will people survive if all their sources of livelihood are snatched away?”*

V Restrictions over mobility:

In 1984 the wildlife division set up an entry gate to the sanctuary area near Pampasar in Angul district. The gate is opened at 6 am and closed at 7 pm. During the day time there is no restriction on the residents' mobility from the sanctuary area. However, no bus comes to the area after gate closure due to which their friends and relatives have stopped visiting them during evenings. Initially, the Wild Life authorities had started charging an entry fee of Rs.3 per person even to the people residing inside the sanctuary. However, following protests, the fee has been restricted to non-residents although residents still have to pay to bring in their vehicles like autos or tractors. During discussions, the villagers identified the following problems:

- They alleged that the Wildlife staff harass the local people especially while they are carrying out any forest produce like sal leaf, sal leaf plate, siali leaf, siali leaf plate and mushrooms for selling in the market. (See box)
- Although there are no restrictions on sale of Brinjal due to it's being an agricultural produce, the villagers allege that the staff at the gate demand bribes for letting them take even brinjals to the market.
- Janardan Sahu cited the example of WL staff demanding a bribe from Lochan Sahu of Jagannathpur even when he was carrying the dead body of his elder brother with him. Due to his refusing to pay, he was detained at the gate for 4 hours (from 1 AM to 5 AM). Finally he gave Rs 50 to be able to reach his village.

The Problem of Petty Harassment

Susanta Bhoi, is a tribal youth residing in Tarava village. Every year he & his younger brother purchase mushrooms from the local villages and sell them at Angul & Bontala market. In July this year they purchased 10 kg of mushrooms from Bada Kheta, Tarava & Asan Bahal villages at Rs.5/- per kg. When Susanta was taking these for selling in Angul in a bus, the forester forced him to get down at the gate and detained him for 3 hours. After long hours of argument, he was allowed to take the mushrooms. He reached Angul around 8 p.m. because of which he could not sell them that day. Next day, due to deterioration in mushroom quality, he could sell them at Rs.7.50 per kg instead of Rs.15/-.

³ Satkosiya Praja Surakhya Samiti emerged as a mobilization forum of local people to protest against their exclusion from the forests and the possibility of displacement of villages inside the sanctuary.

- Most of the kendu leaf and tamarind is collected by the villagers from their private or village common lands. However, they are not permitted to sell even these.

VI Issue of Settlement of Villagers' Rights: The District Collector of Angul has recommended that the 29 revenue villages within the proposed sanctuary area that fall in Angul District be excluded from the sanctuary (i.e. the land within these villages should not to be acquired for the sanctuary) and two forest villages be converted into Revenue Villages. This decision was reached after a series of public hearings in 1998. However, all these villages are surrounded by the sanctuary area, and restrictions relating to forest product collection, mobility and poor availability of services continue applying to them.

The villagers complain that while the Collector settled their rights, he only looked at land ownership and didn't cover their customary usufruct rights over forests i.e. right to collect, process & sell NTFPs or other forest products, even though these were some of the most important sources of livelihood for the poor.

VII Livelihoods in forest villages: There are three forest villages, namely Tarava, Bhurkundi and Asan Bahal with a total population of 547 people within the sanctuary. In these, the scheduled caste & scheduled tribe population respectively constitute 13.89 and 63.61 percent of the total with the major caste groups being Kandha, Pana, Chasa and Khetriya. These villages were established by the FD in the years 1910, 1914 and 1933 to ensure availability of labour for carrying out various forestry operations. At that time the forest department had allotted on temporary lease a total of 667 acres of forestland in two reserve forests (Tainsi R.F & Raiguda R.F) for homestead and agriculture to these villages for meeting their subsistence needs.

The forest villages haven't been converted into revenue villages till now despite there being a judgement of the Kerala High Court declaring them unconstitutional and GoI recommending their conversion to revenue villages in the mid 1970s. Due to this, they are deprived of the benefits of various government programmes and schemes like old age pension, widow pension, Anthodaya Yojana and Annapurna Yojana or even availment of domicile certificates as they are under the sole jurisdiction of the forest department. In 2000 the state government had submitted a proposal to MoEF for conversion of Tarava & Bhurkundi into revenue villages. However, due to the Supreme Court staying the de-reservation of any forest land till further orders (in WP No. 337/1995 on 13.11.2000), the proposal is still lying with the GoI. Asan Bahal, the third forest village requested the DFO & District Collector for relocation of their village as it falls in an elephant corridor. No action has been taken on their request either.

Due to the villagers not being given any titles to the 667 acres allotted to them by the forest department, they are unable to take any loans from banks. During emergencies, they take loans from moneylenders at 20% interest per month. They are also unable to obtain caste certificates for taking advantage of various government schemes. This is because the Revenue Inspector refuses to give them the necessary domicile certificate on the ground that forest villages are not in his jurisdiction as they are on forest land under the FD.

VIII Over all impact on lives and livelihoods:

Most of the people in the sanctuary area were almost at the threshold of destitution even before the above restrictions came into effect. Now many of them have been pushed to the brink of starvation. The villagers in Tuluka claimed that Kailash Jani and his wife

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Soubhagyini Jani died of starvation in 2002 and 2004 respectively. Their three daughters are now staying with their grandmother in Boudh district.

Besides restrictions on forest product collection and harvesting, agriculture is affected by wildlife, mainly elephant depredation (as in Tuluka, where most of the crop is destroyed by elephants and people have stopped cropping on most of their land).

The drastic impact on local livelihoods is illustrated by the recall of income in 1996 and at present by the household of Mrs. Bachini Deuri.

Pre-Restriction (1996)		Post-Restriction (2003)	
<i>Source of Income</i>	<i>Amount</i>	<i>Source of Income</i>	<i>Amount</i>
Bamboo operation	4000.00	Contractual labor (from her son sent as <i>haliya</i>)	1000.00
Kendu Leaf	385.00		NIL
Sal Leaf	800.00	Sal Leaf (Illegal transaction)	50.00
Mushroom	200.00	Mushroom (illegal transaction)	200.00
Wage labor	500.00	Wage labor	1000.00
Paddy (own consumption: 3 to 4 bags, each bag is around 60Kg.)		Paddy (own consumption: 3 to 4 bags, each bag is around 60Kg.)	
Total	5885.00	Total	2250.00

Many of the families have started migrating to other places in search of work. In Tuluka, the team saw the broken houses of five families which have left. They also met Chabi Nayak, an old lady, whose whole family has moved out, leaving her alone to look after their house and fields. In Asan Bahal village, all men migrate for employment outside the sanctuary after crops are harvested in October- November, leaving behind women and children.

Children pay the price

A recent trend has been to give young boys as contract (semi-bonded) labor (called *haliyas*) for the paltry sum of Rs.3000 to Rs.4000 per annum. Under this arrangement kids work as domestic servants or as goatherds/cowherds in villages/towns. They stay at the home of their master, and are provided food and board for their services. Most of them are permitted to return to their families only once a year. Many families now subsist on this income (see Box). Everybody insists that this trend has started only after bamboo harvesting was stopped and restrictions imposed on forest product collection.

Pushing children into lives of bondage

A total of 20 boys (from six to sixteen years old) from 18 families from Tarava village have been sent as *haliyas* to different places. Some examples:

- **Nalu Deuri's** mother borrowed Rs. 3000/- for the funeral of his father, Rabi Deuri who died of malaria last year. In lieu of the money she has sent her son, just nine years old, as *haliya* for four years.

- **Uma Pradhan**, s/o Upendra Pradhan had left the village 6 years ago when he was only 14 years old. Two years back he took even his younger brother Kalia Pradhan to Bontala to work as a *haliya*.
- **Surendra Pradhan** s/o of Late Chintu Deuri, was sent as a *haliya* when he was only 9 years old by his mother who had borrowed Rs.2000 for his father's treatment. Due to his father dying, his mother borrowed another Rs.3000 for his funeral. Surendra Pradhan is now 15 years old but is still working as a *haliya* in Bontala.

Similarly 14 boys from 12 SC/ST families in Tuluka village and 12 boys from Asan Bahal forest village have been sent as *haliyas* and servants to different places for supporting their families.

According to local villagers, engaging children as *haliyas* is becoming widespread amongst all adivasi and harijan families within the sanctuary area due to severe restrictions on their livelihood options during the last few years

The restrictions on mobility have made it more difficult for traders from outside to go inside the sanctuary area, and villagers find it difficult to sell even their agricultural produce. The villagers access even to social welfare schemes such as Indira Awas Yojana has got restricted as the wildlife staff harasses vehicles carrying materials to villages inside the sanctuary.

A more detailed investigation of the livelihood impacts of the sanctuary needs to be carried out. The preliminary visits and investigations carried out have brought forth the picture of lost livelihoods and desperate lives.

IX Observations

The situation in Satkosiya exemplifies the problems with the wildlife conservation paradigm in India and its impact on the livelihoods of the already marginalised. A number of issues arise:

- i) ***Inclusion of large numbers of people within protected areas:*** More than 30,000 people live within the boundary of the Sanctuary. This reflects the situation in almost all sanctuaries in Orissa as also in other states. The process of decision making while selecting areas to be declared as PAs needs to be made more transparent with a focus on leaving out areas with large resident populations.
- ii) ***No provision of alternative livelihoods:*** Even though a major livelihood source within the Satkosiya sanctuary i.e. Bamboo harvesting was withdrawn, there was no thought given to alternative livelihoods for thousands of people trapped within the sanctuary area. This has pushed them to the edge of destitution and is forcing them to give their children in bondage.
- iii) ***Restrictions on collection and sale of NTFPs:*** The blanket restriction on collection of NTFPs is highly irrational and not based on any scientific study or rationale. Many NTFPs such as Kendu leaves and Mahua are found mainly on open land (i.e. private and revenue lands), and restricting their sale is patently unjust. There is no evidence that their harvesting harms wildlife. A blanket ban on NTFP collection shows utter callousness and disregard for the lives of the poor in the sanctuary areas. There is an urgent need to withdraw this ban. Detailed studies

need be taken up to see how NTFP collection may affect wildlife and biodiversity and regulate only those activities which are harmful.

- iv) **Poaching and tree felling:** These irrational restrictions have led to massive resentment and anger. A lack of livelihoods has also meant that both forests and wildlife are seen as sources of possible income, making local villagers more liable to collaborate with poachers and smugglers.
- v) **Inability of Wildlife bureaucracy and the State to manage wildlife areas:** Even though large chunks of forested areas have been declared as protected areas, the State neither has the means to manage them properly nor the financial capacity to provide livelihood support to people whose livelihoods have been displaced by the restrictions. The whole process is based on policing and regulations, which in the absence of infrastructure and lack of local support, doesn't work.

There is an urgent need to rethink conservation models in the country from an exclusion oriented model based on bureaucratic regulation to an inclusive community based conservation model. There are large numbers of community protected forests in Orissa, where the local communities have banned hunting or killing of wildlife. The case of the Betnoi Black Buck protection in Ganjam is one of the most prominent examples. The category of Community Reserves provided for in the amended WLPA provides an opening but that requires amending the act to bring existing WLSs within the ambit of Community Reserves.

While some livelihood sources may need to be restricted due to negative impact on conservation (for example, large scale commercial bamboo harvesting or mining), alternative livelihoods must be provided to those affected. The costs of an exclusionary model of conservation cannot be unjustly thrust on the shoulders of the already pauperized.

Annexure-1**Summary Profile of Satkosiya Gorge Sanctuary**

Name of the Sanctuary	Satkosiya Gorge Sanctuary
Area	795.52 Sq. kms.
Location	Spread over four Districts 1. Angul: 453.25 Sq. kms. 2. Cuttack: 76.76 Sq. kms. 3. Nayagarh: 147.67 Sq. kms. 4. Boudh: 117.84 Sq. kms
Date of Declaration & Notification No.	19.05.1976/ 22727
Final Notification	8 th October 1984
Type of Forest	Dry Deciduous Forest Moist Peninsular Sal Forest Moist Deciduous Forest
Common Vegetation	Bamboo, Sal, Piasal, Sisso
Fauna	<ul style="list-style-type: none"> • Traditional home of highly endangered Gharial and Mugger • Home for seasonal migratory birds like White Eye Pochard, Shovellar etc. • Other wild animals: Elephant, Leopard, Tiger, Gaur etc.
Management	Under Management Control of Two Wildlife Divisions 1. Northern part: Angul Wildlife Division 2. Southern Part: Mahanadi Wildlife Division
No. of Revenue Villages inside the Sanctuary	102 (including 5 cluster villages)
No. of Forest Villages	03
No. of Villages inside the Core area	07 (including Forest Villages)

Annexure-II**RANGEWISE POPULATION IN SATKOSIYA GORGE SANCTUARY**

Name of the Wildlife Division	Name of Range	Total Villages	Total Population
Satkosiya W.L. Division	Purunakote	25	8687
	Pampasar	07	1426
	Jillinda	23	12756

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TOTAL		55	22869
Mahanadi W.L. Division	Chhamundia	28	5543
	Kusanga	19	3174
TOTAL		47	8717
TOTAL (1+2)		102	31586

Annexure-III**Kendu Leaf Production inside the Satkosiya Wildlife Division in 2000**

Name of the Phadi	Total Kerry	Cost per Kerry	Total Cost
Purunakot	661320	0.15	99,198.00
Karadapada	770020	0.15	115,503.00
Majhipada	371820	0.15	55,773.00
Tikarpada	288220	0.15	43,233.00
Katrang	331100	0.15	49,665.00
Bada Kheta	144260	0.15	21,639.00
Salor	158920	0.15	23,838.00
Tarava	375700	0.15	56,355.00
Chhotkei	374740	0.15	56,211.00
Takarsing	342320	0.15	51,348.00
Tulka	230660	0.15	34,599.00
	4049080		607,362.00

Annexure III**Profile of Forest Villages**

	Tarava	Bhurkundi	Asan Bahal
Location	Inside the Tainery R.F, Compartment No 21(b) and 10 (b)	Inside the Raigada Reserve Forest compartment no. 16(b)	Inside the Tainery R.F, Compartment No 4(b)
Year of creation	1910 vide sanction order no. 145/comp dated 23.1.1909 of Conservator of Forests Bihar and Orissa	1914 vide sanction order no. 2717-308 dated 7.1.1914 of Conservator of Forests Bihar and Orissa	1933 vide sanction order no. 9073 dated 3.2.1933 of Conservator of Forests Bihar and Orissa.
Allotted Area	124.80 hectares but the villagers are in possession of land over 72.84 hectares.	110 hectares but the villagers are in possession of land over 141.05 hectares.	32 hectares but the villagers are in possession of land over 55 hectares.

Number of Households, Population and Allotted area of Forest Villages

Name of the Forest Village	Total HHs	Total Population				Area allotted
		SC	ST	Others	Total	
Tarava	50	23	213	14	250	312 acres
Asan Bahal	23	24	33	57	114	80 acres
Bhurkundi	34	29	102	52	183	275 acres
TOTAL	107	76	348	123	547	667 acres