

The Many Faces of Displacement: With Special Reference to Amchang Eviction Drive

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Abstract

The Indian Constitution contains provisions for environmental protection as well as protection of its people. It states that the state shall protect and improve the environment and to safeguard the forests and wildlife of the country. But it is seen that many people have been tortured in the name of development, especially people living in protected areas. Government should take an approach which can be both park-centric and people-centric in nature.

Key words: *displacement, eviction-drive, protected areas, Acts,Covid-19.*

INTRODUCTION

India qualifies as one of the top twelve countries in the world in terms of biodiversity. Conserving the Indian heritage of biodiversity is a major challenge, especially when there is large human population. Thus far, in India efforts at protecting biodiversity have focused on nature reserves. One such way of protecting biodiversity is eviction of people from nature reserves. In Assam also, the govt. have been evicting people from wildlife sanctuaries and national parks either in the name of conservation or development. The eviction drive in Amchang Wildlife Sanctuary is one such example. The term ‘eviction’ simply means expelling someone from a property ;it means physical dispossession of people. It is used to signify the involuntary physical removal of people from their historical or existing home areas as a result of action of govt. or other organizational actors.

WHY EVICTION ?

Before going into a detailed explanation of the eviction that took place in the Amchang Wildlife Sanctuary, it is better if we grasp some idea about why such evictions are being imposed by the government from time to time. Contemporary efforts to protect bio-diversity are beset by multiple problems. Sanderson says, “ Global loses in biodiversity and wild places aren’t the stuff of environmental alarmism; they describe our world today, as detailed in volumes of hard scientific evidences...all these impending loses have a human origin”. Bio-diversity conservation is an ethical necessity. But, the irony of such moral and ethical focus on bio-diversity conservation is that which highlights the misery conservation programmes impose on people. If conservation strategies distress human populations, especially those who are less powerful, politically marginalized and poor, little that conservationists agree on behalf of bio-diversity make sense. (*Sanderson, as cited in Ararwal A. & Redford.K. 2009*)

As people continue to occupy more and more forestland for settlement, agriculture, building dams and other development, the shrinking habitat area compresses the wildlife populations to levels beyond it carrying capacity. The carrying capacity is the number of individuals or biomass of a population that can be supported given the area productivity of the habitat. When the carrying capacity is exceeded, the interaction between people and wildlife is intensified in many ways-

1. The increase in the length of the boundary between forest and human settlement on a local scale means that animals would make more frequent contact with settlement due to chance alone. Often

new settlements spring up along traditional migration paths of elephant herds and thus are naturally subject to damage before the animals find other routes or restrict their extensive seasonal movements.

2. Apart from restricting the area available for timber, fuelwood and fodder may also degrade the habitat and lower the resource base considerably. (Guha. 1994.pp-306-08)

Thus, when the wildlife populations exceed the carrying capacity of their habitat, either due to reduction in its area or reduction in food resources through competition from people, they would tend to spill over into settlements, if their numbers aren't being correspondingly reduced artificially or by natural process. Thus, the state finds the necessity of evicting people from the habitat of wildlife to maintain a symbiotic relation between human and environment.

In December 1996, the apex court had directed nine states including Assam to stop encroachments on reserved forestlands. Since then, Assam has seen repeated interventions by the Supreme Court and the state as well as the ministry of environment and forests (MOEF) at the centre and that was the beginning of the process called human eviction.

ABOUT THE EVICTION

Covering an area of 78.64 sq km, Amchang Wildlife sanctuary is situated at the extreme east of Guwahati city. It is a protected area of Assam and one of the 19 wildlife sanctuaries. Amchang was declared as a wildlife sanctuary on June 19, 2004 by the government of Assam by putting together the Amchang Reserve Forest, South Amchang Forest Reserve and Khanapara Reserve Forest. The area was declared as an 'Eco Sensitive Zone' by an expert committee set up by the Union Ministry of Environment and Forest (MoEF). Through the draft notification submitted by the state government to the MoEF, published in The Gazette of India on June 7, 2017, mention had been made that there are 37 revenue villages falling within the ECZ of the Amchang Wildlife Sanctuary. The eviction took place on 25th of August, 2017 on the direction of the Guwahati High Court. The eviction resumed from 27th of November and continued till 29th of November.

(Source : Barooah Sangeeta, 'Over 700 families left homeless after Assam Government's Eviction Drive at Amsang Wildlife Sanctuary', published in "The Wire", November 29, 2017)

To carry out the eviction, 4 teams were formed with magistrates, officials of the forest and health departments, police, APDCL, State Disaster Response Force and fire and emergency services. DC of Kamrup (Metro), Dr. M. Angamuthu briefed the teams not to damage or burn any belongings of the encroachers and also directed the police to use minimum force for the eviction operation. Hiren Nath ; Guwahati Commissioner of police, Joint Commissioner of Police , Diganta Baruah and Chief Conservator of Forest Hara Prasad were also present during the briefing. But the thing to be noticed is that whether the eviction was carried on as directed. The answer is no as it is seen that fire was used to destroy the property of human beings as well as a huge force was used to make that area encroachment free.

(Source: 'Eviction Drive To Remove Encroachers from Amchang Wildlife', Published in Business Standard by Press Trust of India, 25th August, 2017)

The most recent case of eviction in and around the Amchang Wildlife Sanctuary is seen on 10th of May, 2020. At a time of Covid-19 outbreak, when Assam Government is urging people to stay inside their homes, the state forest department had issued eviction notices to 30 families of a village located adjacent to the Amchang Wildlife Sanctuary. The leader of the opposition in the state assembly, Debabrata Saikia shot a letter to Environment and Forest Minister Parimal Suklabaidya terming as "inhuman" the decision of this eviction during this outbreak.

The plight of the people and state's response.

On a newspaper article published by 'The Telegraph' on August 26, 2017, there had been a mention that Deputy Conservator of forests, Narayan Mahanta told The Telegraph that around 300 houses were dismantled, clearing about 200 hectares of forestland. Around 2000 people have been affected. He added, the eviction drive would continue till the entire wildlife sanctuary was cleared of encroachers. Illegal settlers were being evicted from places like Botaghuli, Nabajyoti Nagar, Kangkan Nagar and Yusuf Nagar which are allegedly located inside the wildlife sanctuary. Many people claimed to be indigenous people living there since 1998 after losing their land and homes to floods and erosion in Majuli, Lakhimpur and Dhemaji districts.

(Source: Sarmah Pankaj, ' Massive Eviction in Amsang Forest', published by The Telegraph, August 26,2017)

While many members of the civil society and local media have accused the state government of finding 'easy target' in the poor people who have nowhere else to go, and have questioned why the industrial units in the area haven't been touched. To an answer to this question, on 29th of November, forest officials lead by police were seen carrying out demolition of a unit of SM Cement in the Amchang.

Huge amount of protests were being made by associations such as TMPK and KMSS apart from the evicted people. Against this flexing of muscles, it was impossible for the people to resist. But resist they did, whether it was lying under a bulldozer or quietly walking away with gas stoves, refusing to abide by the diktas of an unfeeling welfare state. The main question that arises here is that if the state is so concerned with conserving its bio-diversity than why were they allowed to come and settle in Amchang at the first place.

The state turn a blind eye when it comes to the concern of the poor people while at the same time it had granted huge tracts of forest area , including an elephant corridor to Ramdev's Patanjali. This is where the whole idea of bio-diversity conservation by the state is being questioned. If the state really cares for conservation, then it should stop giving away forestland to big business establishments.

THE FOREST RIGHTS ACT AND DISPLACEMENT

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, is a key piece of forest legislation passed in India on 18 December 2006. It has also been called the Forest Rights Act, the Tribal Rights Act, the Tribal Bill, and the Tribal Land Act. The law concerns the rights of forest-dwelling communities to land and other resources, denied to them over decades as a result of the continuance of colonial forest laws in India. Supporters of the Act claim that it will redress the "historical injustice" committed against forest dwellers, while including provisions for making conservation more effective and more transparent. The demand for the law has seen massive national demonstrations involving hundreds of thousands of people. The Act was notified into force on 31 December 2007. On 1 January 2008, this was followed by the notification of the Rules framed by the Ministry of Tribal Affairs to supplement the procedural aspects of the Act. Since times immemorial, the tribal communities of India have had an integral and close knit relationship with the forests and have been dependent on the forests for livelihoods and existence. The relationship was mutually beneficial and not one sided. However, rights were rarely recognized by the authorities and in the absence of real ownership of the land, the already marginalized local dwellers suffered.

Among the rights which are included in section 3(1) of the Act, a right says –

“Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other

traditional forest dwellers”. This Forest Rights Act of 2006 gives rights to tribal communities dependent on forests to reside in that particular place. But this whole idea of the right was dismantled during the Amchang eviction. The right of those people residing in that area wasn’t taken into consideration. Moreover, Section 4(2) of the Act lays out a procedure by which people can be resettled from areas if it is found to be necessary for wildlife conservation. The first step is to show that relocation is scientifically necessary and no other alternative is available; this has to be done through a process of public consultation. The second step is that the local community must consent to the resettlement. Finally, the resettlement must provide not only compensation but a secure livelihood. But despite hues and cries there was no any sign of resettlement or compensation.

The Forest Rights Act of 2006, which seeks to empower tribal communities dependent on forests, has amounted to very little in Assam. The primary reason is 2009 Guwahati High Court judgement which says that the state has no forest- dwelling communities. The High Court judgement was based on a poor reading of the historical and environmental destiny of a region. This helped the forest and revenue bureaucracy to bypass the Act blatantly. (Saikia.A,2017)

THE MANY FACES OF DISPLACEMENT

Displacement is a consequence of conservation project, because displacement , like conservation, is inherently spatial. The idea of protected area is directly linked with the idea of conservation (Patkar,2017). The project – affected people no more take displacement for granted. They started questioning the displacement itself. Why displacement? For whom? What is the public purpose? Who decides the public purpose? Whether the evaluation of resources of the affected people could recompensate them adequately ? Right to information, right to participation and host of other rights of the oustees are being asserted.

The Amsang Eviction Drive throws new light on old pressures on land. The Forest Right Act of 2006 has amounted to very little in Assam. The stories of the displaced residents bear testimony to the conflicts around land. The Amchang eviction drive was carried out by asserting that the area falls under revenue land. But according to Qutubuddin, who works as administrative support staff in the state government headquarters at Dispur, he have been paying ‘Khajana” i.e tax to the govt. for his residential area. Now, the question arises is that if it was a forest land then why didn’t the govt. tell them when they were collecting money as tax. Same is the case with another dweller of the place named Junu Sangma who had been paying annual land taxes from 1977 to 1990. Sangma also questioned about the law which protects the rights of forest dwellers and what happened to that right when people were being evicted.

Moreover, people living in and around the area claimed that the forest department never delineated the boundary of the sanctuary or demarcated the protected area as distinct to the residential area. People questions how they are supposed to know which part is the wildlife sanctuary and which is not.

CONCLUSION

The creation of National Parks and Wildlife Sanctuaries is a recent phenomenon but indigenous communities have lived close to nature since time immemorial. To paint them as “anti-conservation” is not convenient and potentially dangerous. The delegitimising of a community on the basis of origin is another point that has come up due to the Eviction Drive. Now, the question arises if the natural resources of Assam aren’t the wealth of the community , who do they belong to and what purpose do they serve ? A careful look at the Wildlife Sanctuary will facilitate the answer. The profusion of resorts in and around the sanctuaries point to the fact that commercial establishments are rarely touched. Many conservationists have supported the Amchang Eviction on the ground that nature needs to be protected. No doubt, Amchang needs to be protected but we need to understand the plight of the local people as well. The decision of the govt should be a mixture of park centric and people centric views.

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