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Sijimali Bauxite Mining – Tribal Rights vs Industrial Development in Odisha

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Sijimali Bauxite Mining — Tribal Rights vs Industrial Development in Odisha

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✎ WHY IN NEWS

Tribal communities clashed with police in Odisha's Rayagada district over Vedanta Limited's proposed Sijimali bauxite mine, with tribals alleging that Gram Sabha approvals were obtained fraudulently — invoking the landmark Niyamgiri precedent (2013) that established Gram Sabha supremacy over mining in Scheduled Areas under PESA.

The Sijimali conflict distils India's deepest development paradox: the country's most mineral-rich regions are also home to its most marginalised tribal communities. Odisha's Eastern Ghats sit atop 41% of India's bauxite reserves — the raw material for aluminium

essential to EVs, aerospace, and defence. The tribals who have sustainably inhabited these hills for centuries face displacement to fuel an industrial transformation they will largely not benefit from.

SIJIMALI — THE RESOURCE AND THE CONFLICT

Resource Profile

| PARAMETER | DATA |
|-------------------------|---|
| Location | Sijimali hills, Rayagada & Kalahandi districts, Eastern Ghats, Odisha |
| Bauxite reserves | 311 million tonnes (high-grade) |
| Mining area | ~1,500 hectares |
| Beneficiary company | Vedanta Limited (Lanjigarh alumina refinery, 5 MTPA capacity) |
| Forest clearance status | Stage-1 clearance received from Centre |
| Odisha's bauxite share | 41% of India's total reserves; 73% of national production |

Why Bauxite Matters

Bauxite → (Bayer Process) → Alumina (Al_2O_3) → (Hall-Héroult electrolysis) → Aluminium

Aluminium is central to India's strategic ambitions:

- **Aviation and defence:** Airframes, missile bodies, military vehicles
- **EV batteries and components:** Lightweight structural parts
- **Power transmission:** Overhead conductors (ACSR — aluminium conductor steel reinforced)
- **Packaging:** Food and pharmaceutical packaging

India's aluminium production depends critically on Odisha's Eastern Ghats bauxite. Vedanta's Lanjigarh refinery (Kalahandi) is India's largest single-site alumina refinery — it has operated at reduced capacity for years due to bauxite supply constraints from the same tribal rights disputes.



LEGAL FRAMEWORK — THE GRAM SABHA'S CONSTITUTIONAL VETO

PESA Act, 1996 (Panchayats (Extension to Scheduled Areas) Act)

PESA is among the most significant — and least implemented — pieces of legislation protecting India's tribal communities. It extends the spirit of the 73rd Amendment to Scheduled Areas (Fifth Schedule areas) while adding crucial protections that reflect tribal customary law and governance.

Key PESA provisions relevant to Sijimali:

- **Section 4(i):** Gram Sabha shall safeguard and preserve traditions, customs, cultural identity, and community resources of the people
- **Section 4(k):** Gram Sabha must be consulted before acquiring land in Scheduled Areas
- **Section 4(m)(iii):** Gram Sabha must approve plans, programmes, and projects for social and economic development
- **PESA states:** Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Odisha, Rajasthan, Telangana (10 states with Fifth Schedule areas)

Forest Rights Act, 2006 (Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act)

FRA recognises the historical injustice done to forest-dwelling tribal communities who were denied rights to land and resources they had sustainably managed. For mining in forest areas:

- **Community Forest Rights (CFR):** Recognised community has the right to manage, protect, and use community forest resources — mining over CFR land requires community consent
- **Individual Forest Rights (IFR):** Each family's homestead and cultivation land rights must be settled before any acquisition

Critical ruling: The Supreme Court in *Orissa Mining Corporation v. Ministry of Environment* (2013) — the Niyamgiri case — held that Gram Sabhas of the Dongria Kondh tribe had the right to decide whether to allow Vedanta's Niyamgiri bauxite mine. All 12 Gram Sabhas rejected the mine.

Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR)

For any land acquisition in Scheduled Areas:

- **Social Impact Assessment (SIA):** Mandatory
- **Consent:** 70% of affected families in tribal areas must consent (for private companies); 80% for PPP projects
- **Compensation:** Minimum 4× market value in rural Scheduled Areas
- **R&R:** Comprehensive rehabilitation including housing, livelihoods, community facilities



THE NIYAMGIRI PRECEDENT — SUPREME COURT'S 2013 RULING

The **Orissa Mining Corporation v. Ministry of Environment & Forests (2013)** case is the most important judicial ruling on tribal rights and mining in India.

Facts: Vedanta Resources sought to mine bauxite from Niyamgiri hills (Kalahandi-Rayagada), which the Dongria Kondh tribe considers sacred — their deity Niyam Raja is believed to reside there. The mine would have displaced thousands and destroyed the ecosystem the tribe depends on.

SC Order: The Court directed that 12 Gram Sabhas of the Dongria Kondh be convened to decide whether the mine should proceed. All 12 unanimously rejected the project. The Ministry of Environment subsequently refused Stage-2 forest clearance.

Significance for Sijimali:

- Establishes that Gram Sabha decisions are legally binding on mining proposals in Scheduled Areas
- Any evidence of fraudulent Gram Sabha proceedings vitiates the consent
- Tribal communities can invoke FRA and PESA to challenge forest clearances if their rights haven't been properly settled

THE "DEVELOPMENT VS DISPLACEMENT" DEBATE

The Industry Argument

- Bauxite is critical for aluminium — essential for India's industrial and green energy transition
- Untapped reserves while imported aluminium costs foreign exchange
- Mining royalties and taxes fund state budgets that provide social services to all, including tribals
- Vedanta's Lanjigarh refinery has given employment to thousands

The Tribal Rights Argument

- Tribals are not opposed to development — they oppose displacement and exclusion from benefits
- Mining areas in Odisha have seen tribals displaced multiple times (Hirakud, Rourkela, NALCO Damanjodi) — their lived experience is exclusion, not inclusion
- Environmental destruction of water sources, forests, and biodiversity affects tribal livelihoods permanently
- Mining revenues flow to state coffers and corporates — tribal communities see little direct benefit



UPSC Angle — Mains Analysis

GS1: Tribal communities, regional disparity, Eastern Ghats geography **GS2:** PESA, FRA, Centre-State relations, Fifth Schedule, Gram Sabha powers **GS3:** Mining, bauxite-aluminium value chain, sustainable development, EIA process **Essay:** “Mineral wealth of a nation should not be extracted at the cost of its most marginalised citizens”

FACTS CORNER — KNOWLEDGEPEDIA

SIJIMALI DATA:

Location: Rayagada + Kalahandi, Odisha (Eastern Ghats)

Bauxite: 311 MT reserves; 1,500 ha area; Stage-1 forest clearance obtained

Vedanta: Lanjigarh refinery (5 MTPA alumina capacity)

Odisha: 41% of India’s bauxite reserves; 73% of production

KEY LAWS:

PESA (1996): Gram Sabha supremacy in Scheduled Areas — 10 states

FRA (2006): Community Forest Rights; consent required for mining

LARR (2013): SIA + 70% consent in tribal areas; 4× compensation

Fifth Schedule (Article 244): Tribal areas under Governor’s discretionary power + Tribes Advisory Council

NIYAMGIRI PRECEDENT (2013):

Case: Orissa Mining Corp v. MoEF | All 12 Gram Sabhas rejected Vedanta’s mine

Tribe: Dongria Kondh | Mountain: Niyamgiri (Kalahandi-Rayagada)

Outcome: Stage-2 clearance refused; mine abandoned

BAUXITE TO ALUMINIUM CHAIN:

Bauxite → Bayer Process → Alumina (Al_2O_3) → Hall-Héroult electrolysis → Aluminium

India’s aluminium majors: NALCO (PSU, Odisha), Vedanta/Hindalco (private)

NALCO HQ: Bhubaneswar | Smelter: Angul, Odisha | Refinery: Damanjodi, Koraput

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