



FIAN WEST BENGAL E - NEWS LETTER

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FIAN West Bengal is deeply shocked by the brutal assassination of peasant leader and member of FIAN Philippines, Erico Cabanit.

On the 24th of April, Enrico Cabanit, a board member of the Food-first Information and Actions Network (FIAN)-Philippine Section was gunned down by two masked men on the public market of Panabo -Philippines. His daughter was also seriously wounded due to gunshot wounds and is in critical condition at the Tagum



General Hospital. Eric Cabanit was deeply concerned with the issue of right to food of the toiling peasants in Philippines and was strongly involved in the struggle for Agrarian Reform in the country.

Eric Cabanit was also associated with many other peasant networks fighting for Agrarian reform. He was the secretary general of UNORKA (Pambansang Ugnayan ng mga Nagsasariling Lokal na Organisasyon sa Kanayunan), the biggest organization of landless and poor peasants in the Philippines. He was also a member of the Council of Leaders of the broad political alliance Laban ng Masa (LnM; Struggle of the Masses).

Eric was the main leader of the network of workers' organizations campaigning for the immediate redistribution of Floirendo family-owned and controlled landholdings including the 5,000 hectare Davao Penal Colony (DAPECOL) and several other properties.

The Floirendo family members have been holding off successfully petitions of workers to redistribute agricultural lands among 8000 peasants, which should have been distributed a decade ago. The Department of Agrarian Reform has recently committed to look into these petitions, including a commitment for the conduct of an ocular inspection in one of the private properties of Floirendo. Unfortunately,

just when reform opportunities are opening up, Eric was felled by assassins' bullet to sow terror and warn those who would pursue reform. The assassination of Eric also demonstrates the failure of the Philippines government to protect its citizens. His death is the fourth among the deaths of agrarian reform activists in April, and the latest among deaths of activists for social reform and good governance, who have been brutally murdered. It can also be recalled that Eric pushed consistently for the investigation of multi-billions anomalies involving the national government i.e. the Fertilizer Scam and the GMA Rice Project anomaly, and he was among the complainant against active and past officials of the government for corrupt practices.

As a signatory to the International Bill of Rights, the Arroyo government has the responsibility to respect, protect and fulfill the right to adequate food of the people. The government must protect peasant leaders like Ka Eric from private individuals or corporations who are using violence to prevent the people's access to land and other productive resources. The Arroyo government has the obligation to fulfill the people's right to adequate food by genuinely distributing the remaining private agricultural lands and commercial farms which remain in the ownership and possession of a few families or corporations.

The failure of the government to protect its citizens from violence and violent attacks is a manifestation of its incapacity to let the rule of law prevails. Its failure to solve these dastardly killings makes it as guilty as those who had carried these assassinations.

From FIAN West Bengal and from FIAN India, we express our deep and profound sorrow at the sad demise of Eric and condemn this brutal and senseless assassination of peasant leader Enrico. We make a demand to the Philippines Government that the .the perpetrators should be punished. Government should especially protect activists who are engaged in the peasant movements to bring social justice to downtrodden and poor peasants. FIAN West Bengal expresses its solidarity and support to Eric's family and we will always extend our support to struggling peasants of Philippines who are fighting for justice and Agrarian Reform.

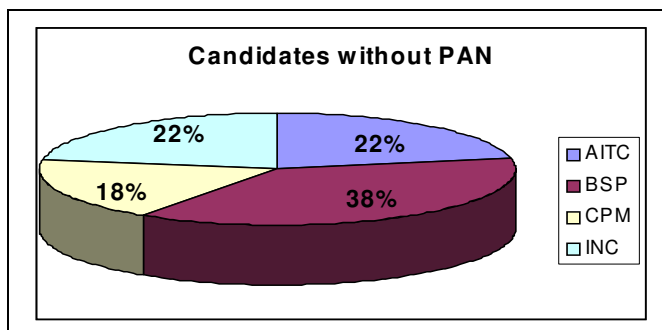
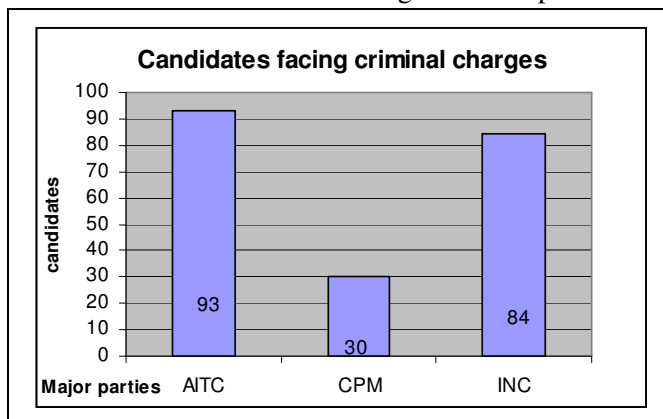
Aknowledgement: FIAN Philippines & FIAN International

Articles on Contemporary issues related to RTF

Election Watch (EW): A Civil Society Initiative in West Bengal during State Assembly Election 2006

The survival and flourishing of democracy depends upon the active participation of the citizens in the democratic process. Voting is a very crucial, but, a very small part of democracy. In the long run, the health of democracy depends upon the existence of an independent civil society, an autonomous and vibrant public sphere and public institutions and a society where all its members' basic rights and needs are guaranteed. Unfortunately, in West Bengal, these indispensable prerequisites of democracy have been seriously undermined. This is a cause of deep concern and calls for remedial action by all citizens who cherish democracy. It is in this backdrop that the idea of an election watch in West Bengal came into the scenario.. This is a participatory approach which consists of monitoring and watching the process of governance and engaging with them in the context of West Bengal Assembly Election 2006, which took place between April-May 2006.

An organization named Association for Democratic Reforms (ADR) facilitates this process along with the collaboration of Forum of Voluntary Organisation. FIAN West Bengal being a member of the above Forum has also been engaged with this whole process. FIAN West Bengal has noted with concern that all the political parties in the state are aloof of the miserable right to food condition of the poor in the state and take ambivalent role in addressing the most burning issue of starvation deaths and hunger in rural pockets of the state. The election manifesto/agenda of the political parties overlook the grave concern of hunger and no promises have been made to take adequate steps to redress hunger and starvation problems. Another serious concern is ignorance and indifferent attitudes of the voters towards promises of the political parties which is mostly due to longstanding disappointments. However, lack of effective participation in democratic process weakens the accountability of the state in a long-run. Keeping all these factors in mind to make voters aware of their candidates and to force candidates to incorporate the demands of the poor in their agenda, an initiative has been taken by few prominent Civil Society actors in West Bengal to watch/monitor assembly election 2006 from peoples perspectives and to analyse the profiles /agenda of the candidates to understand how far these candidates would commit themselves to address serious concerns like hunger and starvations. As per supreme court judgement every citizen has the right to ask for the affidavits of the candidates and EW in West Bengal has helped the voters to get access to these public documents. EW has further analysed these documents to trace out the profile of the candidate as well as the agenda of their parties. This constant involvement of citizen along with the public scrutiny has helped to increase transparency in the whole election



process in West Bengal. Findings of the EW are stunning:

The major parties contesting are Communist Party Marxist (CPM), All India Trinamul Congress (AITC), Indian National Congress (INC), Bahujana Samaj Party (BSP). Total numbers of candidates of these parties are 858 out of which 245 have criminal records. 22 candidates have income/property exceeding Rs.10,000,000 but two out of these 22 candidates do not have Permanent Account Number (PAN) which means that they do not file income tax returns. Out of 858 candidates 461 do not have PAN cards, though their income/property profiles show that they are liable to file income tax returns.

The Election Watch Process does not end with the election itself. It is a continuous vigilance of the civil society. FIAN West Bengal welcomes this structured process of monitoring the transparency, accountability and credibility of governance. This process will establish a communication channel between local people and the politicians through this testing ground and will bridge the huge gap which exists between the peoples' needs and the promises of the political parties.

EW is a new civil society initiative which is an important mechanism to raise our voices and to hold the Government accountable if they are unable to meet their obligations and responsibilities.

State Failed to Provide Alternative Livelihoods & Relief Measures to the Villagers of Hingalganj in Sunderbans

Last month high tidal waves in the RaiMongal, caused by the deep depression in the Bay of Bengal, devastated the earthen dykes in the Hemnagar area of Jageshgunj Panchayat in Hingalgung. The saline water submerged the crops of Hemnagar and Patghora areas under Jageshgunj Panchayat, destroyed mud houses in hundreds and uprooted the metal roads at least at nine places despite the efforts of thousands of peasants constructing barriers of mud bags to resist the vengeance of the nature. 3600 families consisting 18000 people are affected and roughly 250 hectares of paddy field have been infested with saline water destroying the food security of the people of Hingalgung.

Hingalganj is a purely agricultural entity with one crop a year, which is also rain-fed. The landholdings are very small and fishing is the only other substitute for livelihood which has also been terminated by the saline water of Raimangal. The people of Hingalganj have very little hope to revive. Hingalgung is a backward village. Most of the villagers suffer from chronic malnutrition. Women and children suffer most. Our survey has revealed that maternal mortality is very high in this area due to chronic malnutrition of mothers and poor quality health services. There are also vicious trafficking problems in the area – a genuine outcome of poverty. The villagers of Hingalganj who have become the victims of this disastrous flood, have not received any assurances of help from the government. The people of Hingalgung are asking for relief and rehabilitation measures for survival. They are also demanding their basic right to health, education and other infrastructure facilities like electricity.

Despite tall promises the poverty alleviation programmes of the state are non-functional in Hingalganj. The local state authorities are trying to avoid their responsibilities to ensure food security on the plea of lack of resources. As a result 2500 families in Hingalganj are suffering from abject poverty. Starvation and malnutrition dominate the rural environment. The government has failed to address the emergency in an adequate way. Not only relief and rehabilitation measures are absent, the regular food security schemes are also not properly implemented. Media is ignorant about the cruel fate of the villagers in Hingalganj, whereas the local politicians have deserted the villages altogether.

The State Government should adhere to their high sounding phrases as embodied in the State of Budget 2005 – 2006 and redress the grievances of the people of Hingalgung. It is the obligation of

the state under Human Right to Food to ensure food for the distressed villagers, who have suffered from natural disasters. Moreover, the Indian constitution also directs the state to ensure livelihood security for all. We attract the attention of the State Government to the fate of the villagers in Hingalhanj and urge the authorities to take immediate steps to prevent starvation deaths in the area. In a long run the state should give attention to implement water shed projects to facilitate multiple cropping, take effective measures for reducing the salinity of croplands and activate the inactive government agricultural machinery of the area.

This article is contributed by Mr. R. Mukherjee, after visiting Hingalhanj FIAN group

National Rural Employment Guarantee Act Introduced in West Bengal

The magnitude of unemployment in India is shocking. The official statistics puts the rate of unemployment as 4.4% (1999—2000) and that of visible underemployment as 7.2%. However some other studies have calculated underemployment as 13.3% which makes the total of unemployment and underemployment, a staggering 17.7% (4.4+13.3) [Peoples March August, 2005]. Moreover, the fact that there are large numbers who are technically employed but are subsisting at bare minimum levels, reveals the critical dimension of unemployment crisis of the country. Of the total number of employed, 84% fall in the category of self employed or are casual workers. Over 30% of those employed live in abject poverty. The situation has become even graver since the mid 90s with a virtual collapse of all avenues of rural employment and a sharp increase in unemployment in the other sectors.

In this backdrop there has been a lot of hope attached to introduction of NREGA 2005 launched by the UPA government in last August-September. Afterwards as per the requirements, the state government in West Bengal has also developed Employment Guarantee Scheme for implementing NREGA. Enforcing NREGA is a much awaited step, which has finally been taken by the state to “*safeguard the right to work by providing guaranteed employment at the statutory minimum wage to at least one adult per household who volunteers to do casual manual labour in rural areas*”. In a country like India, where poverty, in particular disguised poverty, dominates rural economic and social scenario, the NREGA is a step forward to realise the right to work and also to facilitate realisation of other constitutional and human rights such as the right to life, the right to food and the right to education by providing guaranteed employment in rural areas. This act covers all rural areas of India, including Fifth and Sixth Schedule areas, except the State of Jammu and Kashmir.

The National Rural Employment Guarantee Act 2005 is a law whereby any adult who is willing to do unskilled manual work at the minimum wage is entitled to being employed on local public works within 15 days of applying. If employment is not provided within 15 days, the applicant is entitled to an unemployment allowance i.e. at least one fourth of the minimum wage for the first 30 days and at least one half of the minimum wage thereafter. The work should be provided within 5 kilometres of the applicant’s residence, as far as possible. If work is provided beyond 5 kilometres, a travel allowance has to be paid. Labourers are entitled to the statutory minimum wage for agricultural labourers in the state, unless the Central Government “notifies” a different norm. If the

Central Government notifies, the norm is subject to a minimum of Rs 60/day. Wages to be paid weekly, or in any case not later than a fortnight directly to the person concerned, in front of the community. Mandatory worksite facilities like drinking water, shade, medical aid, Creche (if more than five children below age 6 are present) should be provided by the employing agency. Equal wages for women and men in all circumstances are ensured. Women are prioritized in the allocation of work: At least 33% of laborers should be women. Gram Panchayat will play the key role in implementing the Act. The law will initially be implemented in 200 of the nation's most backward districts, spread across 27 states, but it is to be extended to the rest of the country within five years.

| West Bengal NREGA Districts |
|------------------------------------|
| 24 PARAGANAS SOUTH |
| BANKURA |
| BIRBHUM |
| DINAJPUR DAKSHIN |
| DINAJPUR UTTAR |
| JALPAIGURI |
| MALDAH |
| MEDINIPUR WEST |
| MURSHIDABAD |
| PURULIA |

Though the Act is apparently a very bold step forward to significantly improve the livelihood of millions of rural poor in India and could go a long way in reducing rural underemployment, but there are certain areas of concerns primarily in relation to the effective implementation of the act at grassroots. A major issue of concern is whether the programme will be effective in targeting the poor and not be captured by relatively wealthy households. In the Act a household is defined as potentially several families sharing a common residence, kitchen and ration card. That means if one member of such a household gets a job, others are not entitled to unemployment benefits. Also the act is meant for those rural poor who have their names registered in the BPL list, which as we all know is hugely undependable and hugely under-recorded.

Doubts have been raised about how the Act will work on the ground. One of the unique features of the Act is that Panchayat institutions at various levels are supposed to play a major role in both planning and implementation of the Act through the Gram Sabhas, villagers are to be involved in determining the works that will be undertaken in their villages. Thus the real purpose of the Act, i.e. providing employment to poorest households in the villages could only be ensured through effective participation of villagers in GP process or in other words the democratic functioning of Panchayat would govern the successful identification of poor beneficiaries in the villages. However the sad reality in rural India is existence of highly biased political environment at Panchayat level which hinders effective participation of commons in democratic decision making process.

The work involved in the programme would build infrastructure, such as roads, irrigation, and health facilities. This could help reverse the recent neglect of rural infrastructure, but some economists believe that the nature of work under NREGA would fail to create long-term employment opportunities by regenerating rural economy. The provisions about creation of so called productive assets are limited and there are potential to widespread corruption. In practice, all 'works' to be selected (and not identified by the local community) by the 'experts' in the state capitals wherein the contractors find a role to make money.

Social activists also question how far the women will be able to participate in the programme? Firstly there is a possibility that households will send more male members to work, particularly when they will have to travel more than 5 kms from their villages. Though the Act promises to provide chreche for children but the implementing agency is responsible to provide this facility and in case of absence of such facilities no concrete provision is there to address the situation.

NREGA also aims at reducing migration to urban centres by providing employment opportunities at villages. But the registration procedure of the villagers and the application procedure for work might be too complicated for the poor households and influenced by biased political motives at GP level.

Another significant block to the success of the programme is corruption and the leakage of funds. A big loophole in the Act is a clause which says that if there is any complaint regarding corruption, the funds for the entire district would be immediately stopped. This makes the whole implementation vulnerable and increases the threat of its non implementation.

The last but not the least important question is whether this Act can eradicate poverty by generating only an income of Rs.6000 per year per household? Can this kind of additional income considered enough to address hunger and malnutrition? Finally some social activists have voiced their concerns on the effectiveness of such reforms in addressing root causes of exploitations in the society. According to them the fact remains that NREGA is a reform measure and like all other reforms, it fails to adequately address the root cause of unemployment and poverty. The serious point of concern is that like other reform programmes, NREGA too might have the underlying political purpose of legitimising the present state of structural exploitation.

To ensure successful implementation of this act steps need to be taken to make local GP representatives and state representatives accountable; there must be greater transparency in the administration of this Act. In order to ensure implementation of NREGA it could be supported by Right to Information Act which can be used to minimise, if not eliminate, the customary barriers to effective implementation, such as bureaucratic lethargy and corruption. The potential weaknesses should not be seen as grounds to halt the introduction of the programme. The NREGA has great potential to curb abject poverty in villages and is an important step towards progressive realization of RTF in the country. The NREGA if rightly implemented will enhance the bargaining power of rural disadvantaged and will lead to greater mobilisation of the rural poor. Therefore we remain hopeful about NREGA and the need of the hour is a strong social watch to monitor effective implementation of this Act at all levels.

News from FIAN West Bengal Chapter

Hazaribagh Visit

Karanpura Valley in the south of Hazaribagh is well known for open cast mining for development of Super Thermal Power Plant. The project is determined and controlled by Coal India Limited (CIL) and has international project partners including World Bank. Due to the development of these coalmines the livelihood of the tribal has been adversely affected. The tribal are deprived of their land rights. Land is forcefully grabbed from them by the coal mining companies and they are not compensated by land for land. Only few of them are given low quality employment in the mining sites. The people are not timely informed about the displacement and that is why they cannot take any protective measures in time. They do not receive satisfactory rehabilitation facilities and majority of the population suffer from chronic hunger and malnutrition.

On behalf of FIAN West Bengal I got an opportunity to visit the Karanpura Valley which is a sacred place due to its famous rock paintings and temple and also a unique example of the cultural heritage of the tribal people. We visited a place called Barka Gao where the coal mining region starts. Around 20 villages in that region have destroyed due to extraction of coal and the villagers are not yet provided with proper compensations and rehabilitation facilities. We also visited the Thethangi village in North Karanpura. Around 180 families lived in the village. Due to open cast mining, which was under progress, almost every family lost 4 acres of land each. We were also informed that mining activities had affected nearly 50000 people in Chatra Zila of Hazaribagh. If we consider the whole area of North Karanpura, then more than 100,000 families were found affected due to the open cast mining projects.

One significant ill impact of the open cast coal mining which could be seen in this area was extreme pollution due to the presence of dust particles and smoke, which made the environment uninhabitable. Moreover the soil condition of the surrounding agricultural land deteriorated to a great extent due to faulty and inefficient planning and mapping done by The Central Mining Planning and Designing of India (CMPDI) for open cast mining. Agriculture was the main source of livelihood of these poor people. After forceful grabbing of land by the coal industry tribal people of this region lost their traditional livelihood. The remaining land became unsuitable for agriculture due to pollution. The coal mining also polluted the drinking water sources leading to scarcity of drinking water for the villagers and women suffered most as they had to cover longer distances to fetch potable water for daily household chores. The villagers were denied of access to information regarding mining plans etc. on time from the Government side. The objections or dissatisfaction of the villagers remained unheard at the local government departments.

The need of the hour is a proper Baseline Survey to document extent of diverse impacts of mining and degree and intensity of violations of RTF in the region due to the mining. There is an immediate need for transparency of planning of this whole mining procedure. Specific safeguards are needed for rehabilitating the tribal and compensating them with adequate amount of lands. Respect towards culture and heritage should be a core

consideration while designing compensation and rehabilitation measures. Equally gender perspective should be integrated in such measures. The Government should immediately refrain from destroying livelihoods of tribal in this region thereby stop breaching its respect bound obligations under RTF. Moreover the state must take adequate steps to control other companies from destroying livelihood of tribal people otherwise it would be considered as violation of protect bound obligation of the state. The need of the hour is also to strengthen the victims and their support groups to mobilise the villagers for claiming and attaining their rights.

Contribution by Ms. Parama Ukil, member of FIAN West Bengal

Strategic Planning Consultation and Gender workshop in Hyderabad

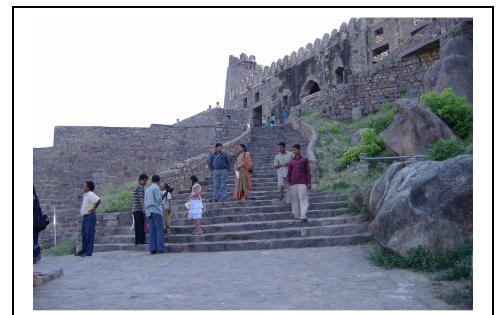
From 24th to 28th April a Strategic Planning Consultation and a Gender Workshop were organized in Hyderabad by FIAN India in collaboration with FIAN International. FIAN Andhra Pradesh was the local host. All FIAN units in India sent representatives to these events. Representative from FIAN Philippines also participated in these consultations. From FIAN West Bengal Dr. Ujjaini Halim and Ms. Parama Ukil participated in these programmes. The strategic planning meeting focused on the different future programmes and focal areas of FIAN International and FIAN India. There was a common consensus in regard to the future issues to be taken up by FIAN India.

The major areas of work in India will be:

- Access to Resource
- Right to Water
- NREGA and other special provisions

It was also agreed that FIAN India will mainstream the issues of **GENDER** and **JUSTICIABILITY** in addition to the above three programmes.

The participants also suggested Probable thematic areas for FIAN international's future work.



Publication of a Report on Right to Food by UN Special Rapporteur

Mr. Jean Ziegler, the special Rapporteur on Right to Food visited Bhubaneswar during last August as a part of his official mission to India for a better understanding of the right to food situation in the country. He has recently published the report on the status of right to food in India where he has acknowledged the contribution of FIAN in RTF movement in India, several times. Every state is under obligation to ensure the right to food of the common people and he has also mentioned in his report that India should pay attention and take steps accordingly to realise the right to food in the country. In future FIAN West Bengal wishes to continue its advocacy and lobby work with the UN Human Rights Commission particularly for promotion of Voluntary Guidelines on RTF. .

Major Events in FIAN West Bengal June-July 2006-05-11

1. A state-level workshop on Right to Information Act at Kolkata, June 2006
2. General assembly meeting of FIAN West Bengal in July, 2006
3. A state-level consultation on impact of neoliberalisation policies on land reform in West Bengal/India, Kolkata July, 2006

Announcement

FIAN West Bengal is very happy to announce that the section has completed its first year as a registered organisation as per the society's registration Act of Government of West Bengal, India. This registration helps the section to facilitate its work in general and in particular interactions with national and international GOs and NGOs. We extend our heartfelt thanks to all our members and well wishers for their support and solidarity

In Next Issue

1. Human Rights Violation in the Economic Domain : A case study in West Bengal's Informal sector
2. Gender Mainstreaming in FIAN's work in India: Challenges ahead
3. Kalinganagar: violations of RTF of tribal
4. Mid-Day- Meal in West Bengal: success and limitations
5. FIAN West Bengal celebrating 20th anniversary of FIAN'

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