The Teesta Hydro Power Projects: A Historical Analysis of the Protest Movement in North Sikkim (1964-2011)

A Thesis submitted

To

Sikkim University

In Partial Fulfillment of the Requirement for the
Degree of Doctor of Philosophy

By

Kachyo Lepcha

Department of History
School of Social Sciences

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Declaration

I, Kachyo Lepcha, hereby declare that the research work embodied in the thesis titled "**The Teesta Hydro Power Projects: A Historical Analysis of the Protest Movement in North Sikkim (1964-2011)**" submitted to **Sikkim University** for the Award of the degree of **Doctor of Philosophy**, is my original work. Any content or any part of this thesis has not been submitted to any other institutions or for any academic purposes.

Kachyo Lepcha
Roll No.:14PDHS02
Ph.D Registration No.:14/Ph.D/HIS/02
Department of History
School of Social Sciences

माइल, सामदुर, तादोंग - 737102
गंटोक, सिक्किम, भारत
फोन-03592-251212, 251415, 251656
टेलीफैक्स - 251067
वेबसाइट - www.cus.ac.in

सिक्किम विश्वविद्यालय
SIKKIM UNIVERSITY

6th Mile, Samdur, Tadong-737102
Gangtok, Sikkim, India
Ph. 03592-251212, 251415, 251656
Telefax : 251067
Website : www.cus.ac.in

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All assistance and help received during the course of investigation have been duly acknowledged by him.

We recommend this thesis to be placed before the examiners for evaluation.

Dr. V. Krishna Ananth
Supervisor
Associate Professor
Department of History
School of Social Sciences

Dr. V. Krishna Ananth
Associate Professor
Department of History
School of Social Sciences
SIKKIM UNIVERSITY
6th Mile Tadong-737102 Gangtok, Sikkim

Dr. Veenu Pant
Associate Professor and Head
Department of History
School of Social Sciences

अध्यक्ष
Head
इतिहास विभाग
Department of History
सिक्किम विश्वविद्यालय
Sikkim University

मील, सामदुर, तादोंग - 737102
गंटोक, सिक्किम, भारत
फोन-03592-251212, 251415, 251656
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सिक्किम विश्वविद्यालय
SIKKIM UNIVERSITY

6th Mile, Samdur, Tadong-737102
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Telefax : 251067
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Submitted by **Mr. Kachyo Lepcha** under the supervision of **Dr. V. Krishna Ananth, Associate Professor, Department of History, School of Social Sciences, Sikkim University.**

.....

Signature of the Scholar

Kachyo Lepcha

.....

Countersigned by Supervisor

Dr. V. Krishna Ananth
Associate Professor
Department of History
School of Social Sciences
SIKKIM UNIVERSITY
6th Mile Tadong-737102 Gangtok, Sikkim

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Date: **- Kachyo Lepcha**

Contents

INTRODUCTION

India, a developing economy, is on its path to modernity and development. Development is not only associated with the improvement of the infrastructure of a nation but is also about improving the standard living of its people. Developmental activities are needed for the growth of the economy of a country and they are perceived as symbols of national progress. This indeed applies to Sikkim too. However, in the name of development, more than twenty dams were proposed in this tiny Himalayan state beginning the late 1990s. The aim, as stated in the proposal, was that they generate revenue for the state and create employment apart from generating power as such; these hydro power project sites, as envisaged, cover a significant proportion of forests and private lands, both in the project area as well as the area that will be submerged as is usual with such projects.

These, then, have a set of implications primarily given the fact that Sikkim is essentially an agrarian state and agriculture here is not the same in terms of its nature given the hilly terrain and the crop patterns. Most of the population, directly or indirectly, depends on the natural resources of the state. Consequently such developmental interventions affect the indigenous people of the state.

The fact is that in the name of development, the direct displacement of the indigenous people is not held as significant by the proponents of this model; the sparse nature of the peoples' settlements here give them the grounds to count the number of people affected as too small and hence negligible. As a consequence, the common resources of the people like forests, cultivable agriculture lands and water are sought to be transferred into the sole custody of the rich and the well-heeled who

propagate an idea of 'development'. This idea of 'development' has had huge detrimental impact on the environment too.

Sikkim was admitted to the Indian Union in May 1975 with the assurance that its culture, heritage and environment would be preserved and thus came Article 371 F into the Constitution. Sub-clause g of this Article, which stresses the need for an equitable arrangement to ensure the social and economic advancement of the different sections of the population and vests such powers with the Governor of the State to issue directions, from time to time, for this purpose, is indeed relevant to the development discourse in Sikkim. In other words, it is imperative that the concerns of the ethnic groups of Sikkim are internalised while formulating the development plans in the State. This thesis is an attempt to unravel the development schemes, particularly in the area of hydel-power generation and the setting up of mega-hydel projects in the state, and thereafter study and locate the protest movements against these in the past few decades and their implications.

Statement of the Problem

The discourse on development projects in India have invariably been marked by displacement and relocation of the people in the name of larger good. The case of Sikkim, particularly after its becoming a part of the Indian Union in May 1975, has not been different and displacement of people has been central with the advent of mega-hydel project proposals since the late 1990s. It is necessary to point out here that hydel-power projects in Sikkim were not simply a post-merger phenomenon and they were built and commissioned even before its merger with India in 1975. The first of these came up in the year 1913; a London based company "Burn & Company Limited" and the Royal Sikkim Government, through a deed of "Hydro Electricity

Scheme", on River Teesta, set up the project then. Mr. B.J Goud Esquire was the political officer of Sikkim at that time. The project was not successful because of environmental and royalty issues. However, after several decades, four small power projects with 3 MW each were commissioned in the year 1964; one each in the four districts of the state.

There were only eight towns that used electricity in Sikkim then, while the rest of the area had no power supply. Till the end of 1979 the state had a total power generation capacity of only 3 MW.

According to the preliminary reconnaissance survey by a team of experts of the erstwhile Central Water and Power Commission in 1974, Hydro-electric potential of Teesta and its tributaries in Sikkim was estimated at about 3,735 MW; the potential was for cascade development consisting of power generation in six stages. Since 1999-2000, the state government and the various companies started implementing the large power projects in Sikkim and these were projected as low impact projects since they were "run of the river" projects which have small submergence areas as compared to those of storage dams. But then, the run of the river projects, as envisaged, involved large scale tunnelling and blasting which portended severe social impacts in the entire project area and surrounding area as well.

Places in the North and East Districts, the area that fell under the proposed Teesta V, with an installed capacity of 510 MW at Dikchu (in the East and North District border) was an instance of this; in addition, the Teesta stage III and Teesta stage VI projects are all situated where the population is predominantly the Lepcha and the Bhutia people, both being indigenous tribes. These two communities, together, are a minority in proportion to the population of Sikkim and belong to the

indigenous people and thus different from the Nepali speaking people who now constitute the majority of the Sikkimese population.

The development of the above mentioned hydro power projects has brought about sea changes in the quality of life and has had its impact on the socio-economic conditions of the people residing there. Development of these projects there has necessitated construction of a dam and this, along with other project activities such as the numerous tunnels and the power stations, has taken away large swathes of agricultural land that the Lepchas and the Bhutias had cultivated in over the ages; the project implementation has also eaten into their common forest resources, leaving them impoverished. Since the 1990s, many Sikkimeses, from different communities, have raised their voice sometimes individually or by way of collective protests including memorandums and other means raising questions and seeking explanations about the hydro electricity developmental programmes.

It was towards the end of the decade that one of the largest movements against hydro-power projects in Sikkim was launched under the banner of the Affected Citizens of Teesta (ACT). This thesis is an attempt to understand and contextualize these protests as well as the mechanism behind it in present day Sikkim; in doing this, the thesis brings out the historical dimension into play as much as the anthropological aspects of the issue.

In India the terms such as ‘indigenous people’, ‘tribes’ or ‘tribal people’ and ‘scheduled tribe’ (ST) are often used interchangeably by locals, activists, administrators and scholars alike. The thesis starts with an attempt to understand the tribal urges and aspirations within the context of the regional milieu and as emanating

from the overall framework of the intervention into the resources base of the tribal area and its social and economic consequences.

In this context the thesis has also delved into the historical and economic developments as well as the legal system regarding preferential policies in Sikkim so as to place the present in context. In that sense, this study is as much historical as it is political and contemporary. In other words the attempt here has been to highlight the circumstances and the developments as they unfolded both in the realm of policy formulation/implementation and in the realm of the making of the anti-dam protests into a movement.

Since North Sikkim has been a restricted area, especially the Dzongu, the whole of the North District, was declared a "Protected Area" by the erstwhile king of Sikkim; and this special status is upheld by the Constitution too that became relevant to Sikkim since its accession in 1975. Notwithstanding the tradition and the Constitutional imperative, the Dzongu protected area, which also falls within the restricted area of Kanchendzonga Biosphere Reserve Area, has turned into the site for large-scale construction activity and this very fact in this "protected area" has rendered to the discourse a certain complexity.

Thus this thesis deals with the complex mosaic involving theories of development as much as it deals with the socio-culture and economic changes experienced by the population residing on the settlements situated along the river Teesta of North Sikkim.

Hydro electric projects necessitate dam construction. Dams are built by harnessing the flow of river and inundating large tracts of land and this necessarily

leads to the loss of land, forests and biodiversity. Hence, hydro power creates problems that have an adverse impact on river hydrology and ecology besides the social, cultural and economic impacts which are experienced by the population living near the dam site as well as the lower course of the river. Dams are a crucial issue for resource managers, including environmentalists, social scientists and policy makers and the socio-cultural and economic changes related with hydro electric project include concerns such as migration, resettlement, demographic changes, changes in employment and income generation opportunities, alteration of access and use of land and water resources, changes in social networks and often a disruption of the psycho social well being of the displaced individuals.

It will be appropriate, at this stage, to induge in a brief survey of literature on the issue before we set out on the thesis as such.

Review of Literature

E.F. Schumacher in his book Small is Beautiful,[1] laid the basis for an idea that is indeed most influential in the debate on development in our times. In this, Schumacher argues that small scale technology, more specifically, appropriate technology, shall form the basis of development of a new society; the argument is based on a critical dichotomous fashion. He saw social, economic, and political problems in society as being associated with modern large-scale technology and argues for the the implementation of alternative small-scale technology as the solution for all such problems.

[1] Schumacher, E.F. *Small is Beautiful, A Study of Economics as if People Mattered*, Vintage Random House, London, 1973. Print

Schumacher also believed that the modern world has been shaped by technology. However, instead of admiring technological determinism, he showed the destructive impacts of modern technology, such as degradation of environment, threat to the existence of human race, depletion of natural resources and dislocation of labour. He believed that the role of technology in society needs to be debated

Aseem and Ashish Kothari, in their book, Churning the Earth,[2] in the last part, which is titled : 'Dawn: There is an alternative', provide innumerable examples of small-scale initiatives that have succeeded in making things better, for people as well as the environment. Here is one example: 'In the low-rainfall region of Zaheerabad, Andhra Pradesh, Dalit women have brought about an agricultural revolution in villages. Mobilised under the banner of the Deccan Development Society, an organization started with the purpose of promoting sustainable agriculture, the ordinary people have shown that it was possible to make small or appropriate technology work and suggest there is hope there.

The World Commission on Dams,[3] in its final report, observes that the large dams in Asia display a high variability in delivering predicted performance and related social benefits. They are considerably falling short of physical and economic targets. It holds that these projects thus remain elusive insofar as the true profitability of these schemes is concerned.

[2] Shrivastava, Aseem and Kothari, Ashish. *Churning the Earth, the Making of Global India*. Viking, New Delhi, 2012. Print

[3] World Commission on Dams. (WCD) *Dams and Development*: A New Framework for Decision-Making, London, 2000. Print.

Mehta and Srinivasan,[4] in their work explain that the upstream communities in cases of hydel-power projects, all over, suffer in the non-material as well as material sense. Such communities often define their existence in terms of their natural surroundings of the river and the valley. Vulnerable communities and particularly women, children and the elderly tend to be adversely affected by dam construction that is necessary for hydel power generation. This requires social impact evaluation which often goes beyond the economic impact of loss of land and other resources, including property and livelihood. Srinivasan[5] further argues that equity consideration should involve the rights and access to control over the distribution of resources in such projects.

Bhatia,[6] from his case studies of five villages -- Mokhadi, Surpan, Vadgam, Gadher and Katkhadi -- in South-West Gujarat shows how the local population has been affected by the Narmada Dam project. From empirical evidences he suggests that the displaced population were not provided with adequate land allotment as compensation. Inadequate resettlement process and compensation have left the tribal communities, who were hitherto living in close proximity to each other, being separated miles apart resulting in constraints in their social networking. This has further alienated the population living here and turned them against such projects.

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[4] Mehta L. and Srinivasan, B. "Balanccing Pains and Gains. A Perspective Paper on Gender and Large Dams." *Report Prepared for The World Commission on Dams Thematic Review: Social Impacts.*World Commission on Dams Secretariat Vlaeberg. Cape Town 8018. South Africa, *March* 2000. Website: http://www.dams.org

[5] Srinivasan, Bina. "Social Impacts of Large Dams: Gender, Equity and Distribution Issues." *Economic and Political Weekly*, Vol.36, No. 43(Oct.27-Nov 2, 2001), Pp4108-4114. https://www.jstor.org/stable/4411298, Page Coun:7

[6] Bhatia, Ramesh. "Water and Economic Growth," *In John Briscoe and R.P.S Malik (eds), Handbook of Water Resources in India: Development, Management and Strategies*, New Delhi: Oxford University Press, 1999.

Shyam Sunder and Parameswarappa,[7] are of the opinion that dams in India are usually planned and constructed in such areas that were hitherto having fertile land and forests, mostly inhabited by the economically backward classes, who lose out their livelihood; the compensation provided to them, when displaced, is meagre and thus leads to further pauperization of that section of the society who cannot reap the harvest of the development project which ultimately goes to the rich. This leads to further socio-economic discrimination.

Tanmayeesahoo, Usha Prakash and Mrunmayee M.Sahoo,[8] in their extensive case study on the dam on river Narmada, where the Sardar Sarovar Project was meant to bring about the welfare of four states -- Gujarat, Madhya Pradesh, Rajasthan and Maharashtra -- have brought out a lot of details on what is, hitherto, the most controversial projects in India in recent times. The main issue, which is still central to the debate, is that of displacement of families. The study establishes as to how the number of displaced people increased many times between the times when the project was proposed and approved and when the project was commissioned: In their study they show that when the Narmada Water Dispute Tribunal (NWDT) Award was given, only 6,147 families were to be displaced. However, by the early 1990s, the figure went up to 40,245 families that were affected by the Sardar Sarovar Project (SSP). It is not only the number of people displaced that attract attention but the environmental aspects of the SSP have also been controversial.

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[7] Shyam Sunder, S. and Parameswarappa, S. *Forest Conservation Concerns In India*: Dehra Dun, ISBN: 8121108942, 9788121108942, (2014).

[8] Sahool, Tanmayee. Prakash, Usha. M Sahoo, Mrunmayee. *Sardar sarovar Dam Controversy*-a case study, global journal of finance and management. ISSN 0975-6477 Volume 6, Number 9 (2014), pp. 887-892 © Research India Publications, http://www.ripublication.com

Literature on the Issues from Sikkim

Maju Menon and Neeraj Vagholikar[9] have assessed the local opposition to the projects located in Dzongu in Sikkim and the opposition essentially centred around the influx and settlement of the outsiders, culminating in the loss of Lepcha culture along with increasing rate of crime and diseases. They even recommend that the Teesta project should not be implemented by ignoring either the local sentiments or the vocal opposition of the indigenous communities affected by the construction of the dam in North Sikkim as it is here that most of the Lepcha communities are concentrated.

Kerry little[10] argues that customs, traditions and the very character of the local tribal communities living in Sikkim are closely tied to the lands, rivers, forests and other elements of the natural ecosystem which will change with the implementation of such projects. Vibha Arora[11] in her study on the protests argues that such protests are not merely on grounds of displacement but that the threat to the region's cultural and ethnic traditions rooted in the river Teesta and its environs that trigger such protests

Soumik Dutta[12] foregrounds the aspect about the project bringing in an influx of labourers from outside Sikkim for long periods swamping the indigenous communities. Activists point out that this worry was supposed to have been specifically addressed by the creation of the Dzongu area in the first place, and also by the 2006 decision granting Primitive Tribes status to the Lepcha community. Pema

[9] Menon, M. & Vagholikar, N. *Environmental and Social Impacts of Teesta V Hydroelectric Project, Sikkim. An Investigation Report*: Report Published by Kalpavriksh Environmental Action Group, 2004.
[10] Little, Kerry *Deep Ecology, Dams and Dzongu Land, Lepchas Protests Narratives about their Threatened Land*. The Trumpeter ISSN: 0832 -6193 Volume 25, Number 1 (2009)
[11] Arora, Vibha. *Gandhigiri in Sikkim,* Economiv and Political Weekly, 43(38), September 20. (2008): Pp. 27-28.
[12]Dutta, Soumik. *Lepcha v Hydropower* http://himalmag.com/component/content/article/1295-Lepcha-vhydropower.html

Wangchuk[13] states that the people of Dzongu harboured the same concerns -- fears that the influx of imported manpower would not only leave behind a socio-cultural footprint, but also put the environment under stress.

Dharmadhikary[14] is of the opinion that customs, traditions and the very character of local Tribal Communities living in Sikkim are closely tied to the lands, rivers, forests and other elements of the natural ecosystem which will change with the implementation of such projects.

Objective of the Study

As for a theoretical framework, this thesis has sought to highlight the imperative for looking at the projects, the hydel-power projects in particular, from the perspective that takes into account the complexities involved in the lives of the Lepcha community in Sikkim and study the protest against the dam project as a forum for the possible mobilization to collective action for cultural revival and rights.

An earnest attempt has been made to study the changes in quality of life and its impact on the socio-economic aspects associated with developmental interventions in hilly and tribal areas of India by taking the case of hydro-electric project in Sikkim.

The objectives thus set were:

1. To understand the development and its impact on the Dzongu tribal land use.
2. To analyse the problems generated due to project works.

[13] Wangchuk, Pema. *Lepchas and their Hydel Protest*, Bulletin of Tibetology, Gangtok Sikkim, Volume 43, No.1 and 2, 2007

[14] Dharmadikary, S. "Mountains of Concrete: Dam Building in the Himalayas", Report by International Rivers, Berkely, CA. 2008.

3. To assess the social, economic and demographic changes brought about by the project in the adjoining area.
4. To list out the fallout of the protest in formulating strategies for sustainable development for the people in the region.

Methodology

Broadly, the study is an empirical one and based on the anthropological research methods. In order to examine the impact on the life and social-economic and cultural changes brought about by the hydro power project on the tribal population residing in the vicinity of the project site, data, both primary and secondary, were collected. The primary data, collected essentially through recording oral interviews, collection of pamphlets issued on behalf of the movement, government notes and circulars and visual records that are in the possession of individuals and groups associated with the protest were used to understand and conceptualise the subject matter. Such collection included documents on the use of cultural images, institutions such as the traditional forums of administration in the community and records of compensation awards. The research also relied upon published works of such movements from various other parts of India.

Primary sources, mostly based on oral interview, conducted in an open ended manner rather than using any preset questionnaire were conducted at two levels: With the Community and with Individuals; and these were done based on field observation in the project area, most part of which were also based on the author's experience while being part of the movement.

i. Community level: subjective indicators representing social, economic, cultural and environmental conditions like land related conflicts etc., before the implementation of the project and the most recent data sources were compared for discussion in the text.

ii. Individual level: were useful to comprehend the condition of the life, subjective indicators comprising of social, economic, cultural and environmental attributes mentioned above in order to evaluate individual perception to their quality of life brought about by the project were internalised while conceptualising the argument.

Secondary sources used include published records, gazetteers, census reports, etc., related to the research topic. In this regard, the following were perused and data from them used:

i. Official Reports from the offices of the Government of Sikkim (Departments of Power, Forest, Land Revenue, Directorate of Economics and Statistics, Pollution Control Board, etc.).

ii. Reports and records collected from the Sikkim State Archives, Public Library and Private firms associated with the power generation projects were collated.

iii. Books, articles in journals and unpublished work related to the topic.

Chapterisation:

Chapter-I: Research question, theory, term and methods

Is an outline of the theoritical approach used for this study which builds on three conceptual ideas: 1) theorization of power and powerlessness, quiescence and

rebellion, which serves to explain the absence of rebellion in a situation of inequality and injustice.2) resource commodification, depoliticization and the neoliberal environmental governance. 3) The notion of the politicized environment which is used to approach environmental conflicts.

Chapter-II: Dzongu; A Restricted and Reserved Land

Is a more detailed introduction of the Dzongu reserved land and its history followed by a description and explanation of the changes and transformation of their traditional culture system and its society.

Chapter-III: Development Project with Dzongu folk

Is a more detailed of narrative of Sikkim's recent past and its Hydel mission as well as the framework of the conditions surrounding it and the discourse on tribal area develomental project and its impact.

Chapter-IV: Indigenous Peoples' Movements

Is an attempt to outline what hydropower development is a conflict-ridden issue and as such constitutes a politicized environment and therafter goes on to recap the early stages of resistance against hydel power project in Sikkim. This chapter also seeks to explain the emergence of ACT and its initial phases where a political stand was formulated.

Chapter-V: Theorising the Indigenous Peoples' Movements

Is essentially a detailed discussion on theorising the indigenous peoples' movements, how the state acts against its people; Army and police against the citizen.

This chapter also attempts to highlight the most controversial dams in Manipur and seeks to locate that in the complex context of the Dams issue in Sikkim

Chapter-VI: Effect of the Movement in the state and its Electoral Discourse

Is essentially an empirical detail such as the discussion on the national policy framework for dam planning and decision making and political set up in Sikkim and its internal struggles; this chapter also discusses the ethnicization the politics of Sikkim as well as the depoliticization of environmental governance processess and also discusses on sustainable development.

Chapter 1

Research Question, Theory, Terms and Methods

1. Theoretical Approach: Mechanisms of Contention and Accords

This study tries to theorize two phenomena, one on a local, micro-political level this research was inspired by the observation, that in a situation of adverse socio-environmental change and in spite of the grave socio- environmental injustices that a dam construction generates, there is relatively little popular resistance to this process of accumulation and dispossession that occurs in the manner of a neo-liberal, neo-colonial resource grab. Drawing on Lukes' three-dimensional approach [1] to power, as well as Gaventa's model of power and powerlessness[2], and rebellion, which are at the basis of the hydropower conflict in Sikkim.

Secondly, by closely scrutinizing the local level, social and environmental processes of change associated with 'hydropower development', which seek to contribute to the understanding of the working of a local, depoliticized, neoliberal environmental governance, its operation and effects, vis-a-vis very localized communities and environments, particularly in terms of the state-society dynamics this generates.

For this purpose and for understanding the "new" kinds of conflicts that hydropower development triggers (specifically in the Himalayas but surely elsewhere too), this study adopts an actor-oriented political ecology approach. In this perspective, large hydropower dams are conceptualized as politicized environments,

[1] Lukes, S. *Power: A Radical View*. London: Macmillan, 1974. Print.
[2] Gaventa, J. *Power and Powerlessness*. Oxford: Oxford University Press, 1980. Print

fundamentally shaped by power relations, and which are "constituted through struggles over the material practices and struggle over meaning".[3] Both the political economy of hydropower development in the Sikkim context, as well as the discursive practice employed in the struggle, are thus taken into account, thereby seeking to uncover the various ways in which power is exercised and to what effects.

Moreover, applying this approach to the study of dams in Sikkim, will follow the call of Baghel and Nusser[4], who have advocated for bringing the large dam debate forward by moving beyond a simplistic cost-benefit "laundry list", and instead "examine the shifting asymmetries and discursive flows that sustain and promote dam building over time."[5] They propose an actor-oriented, post-structural political ecology approach as a suitable framework for analyzing large dams.

In the following sections, we will elaborate on each one of these conceptual ideas, explaining their theoretical background, key concepts used and how this will be applied in this case study. Finally, this chapter closes with an explanation of the research methodology followed, also giving some thought to the limitations of such an approach.

1.1 Conceptualizing Power and Powerlessness, Quiescence and Rebellion

One of the principal questions that guided this study was why, in the face of the massive social and environmental externalities resulting from large- scale hydropower development in Sikkim, has there been such widespread quiescence and rather limited contestation of the state-led development agenda. John Gaventa asked

[3] Bryant, R.L. *Power, Knowleadge and Political Ecology in the Third World: A Review in Progress in Physical Geography* 22 (1) (1998): pp 79-94.
[4] Baghel, R. and M. Nusser. "*Discussing Large Dams in Asia After the World Commission on Dams*: Is a Political Ecological Approach the Way Forward?" in *Water Alternative*, 3(2) (2010): pp 231-248
[5] *Ibid*, p. 231

an almost identical question in his influential work on 'Power and Powerlessness' in an underdeveloped, coal-producing valley of Central Appalachia in the USA:

> This is a study about quiescence and rebellion in a situation of glaring inequality. Why, in a social relationship involving the domination of non-elite, does challenge to that domination not occur? What is there in certain situations of social deprivation that prevents issue from arising, grievances from being voiced, or interests from being recognized? Why, in an oppressed community where one might intuitively expect upheaval, does one instead find, or appear to find, or appear to find, quiescence? Under what conditions and against what obstacles does rebellion begin to emerge?[6]

Gaventa studied and defined the phenomenon of quiescence and the apparent lack of conflicts as a function of power relationships, where power, deliberately exerted by the social elites, "works to develop and maintain the quiescence of powerless", and to prevent the rise of conflicts, whereas "rebellion.... may emerge as power relationships".[7] Gaventa also argued that power mechanisms are used, for one, with the purpose to exclude certain groups from participation in decision-making, and secondly in order to get the passive agreement of these same groups. The latter serves, as evidence, for "mute compliance", and not for lack of interest in the participant. Rebellion, on the other hand, is a violation of this mute compliance and can take various forms -- a minor response, as for example non-acceptance, or the more vociferous demand for participant in the decision-making process.[8] Gaventa's work

[6]Gaventa, J. (1980) op. cit. p 2.
[7]*Ibid*. pp vi-vii
[8] Sadan, E. "Empowerment and Community Planning." e-book available at www.mpow.org/elisheva sadan empowerment. 2004. [accessed 12.02. 2015]

leans heavily on the theory of power advanced by his mentor, Steven Lukes,[9] who had added a third, latent dimension to earlier discussions about power. It is, hence, appropriate, to briefly outline Lukes' 'three-dimensional approach' to the study of power, as well as Gaventa's model of power and powerlessness. Both serve to illustrate the relationships between power, powerlessness, quiescence and rebellion that reflect in the case study of North Sikkim.

1.2 Lukes' Three-Dimensional Approach to Power

The first or 'over'-dimension of power, was initially proposed by 'traditional pluralist scholars' such as Polosby and Dahl, and equates power with participation in observable conflict.[10] It principally investigates behaviour and defines as powerful "who participates, who profits, who loses, and who expresses himself in the decision-making process."[11] It illustrates this as "A has power over B to the extent that he can get B to do something that B would not otherwise do."[12] This one-dimensional approach has been sharply critized for the range of the simplistic assumptions it presupposes, including that grievances are always recognised and acted upon, that participation in decision-making is open to all and occurs overtly, and that leaders represent the public interest.

More significantly, however, the approach concludes that non-participation or inaction is not a social or a political problem but is interpreted as a "general quality of the human species" (the latter being divided into active political or passive civic person) or is associated with low socio-economic status[13] and "explained away as the

[9]Lukes, S. (1974), op. cit.,p. 14
[10]Gaventa, J. (1980), op. cit., p.11
[11] Sadan, E. (2004), op. Cit., p. 40
[12] Geventa, op. Cit.,p. 16
[13] Sadan (2004), op., cit., p. 40

apathy, political inefficacy, cynicism or alienation of the impoverished."[14] Essentially, this 'blaming-the-victim' approach relates the inaction of individuals or groups to their socio-economic or cultural circumstances, rather than locating such inaction in the context of power relations.[15]

The so called 'second face of power' seeks to fill this gap in explanation by proposing that power is effectively mobilized to "limit the actions of the relatively powerless" by preventing "certain issues and actors from gaining access to the decision-making process."[16] This occurs through a 'mobilization of bias', implying that those in power seek to set the agenda of conflict in advance, determining which questions will actually be negotiated, so that "some issues are organized into politics while others are organized out."[17] Similarly, "whoever decides what the game is about also decides who gets in the game", thus precluding the "people with the greatest needs" from active participation in politics.[18] Non-participation or quiescence, is thus, no longer blamed on the powerless and explained not as a manifestation of indifference, but as resulting from fear and weakness and "the suppression of the options and alternatives that reflect the needs of the non-participant."[19]

The two-dimensional approach, while allowing for a more comprehensive understanding of power, nevertheless, fails to account, as Lukes argues,[20] for a third, 'hidden face' of power which explains "how political systems prevent demands from becoming political issues or even from being made." This third dimension of power refers to the ability, through its exercise, not only to "limit action upon inequalities",

[14] Geventa (1980), op., cit., p. 7
[15] Sadan (2004), op., cit., p. 43
[16] Geventa (1980), op., cit., p. 9
[17] Sadan (2004), op., cit., p.7
[18] Geventa (1980), op., cit., p. 8
[19] Sadan (2004), op., cit., 11
[20] Lukes, S. *Power: A Radical View.* London: Macmillan, 1974

but to shape the very "conceptions of the powerless about the nature and extent of the inequalities themselves." Thus, A gets B to do a thing he would not have done otherwise, "by influencing, shaping and determining his very wants." At the same time such a use of power effectively helps "prevent [certain] conflict from arising in the first place" and according to Lukes, "the most effective and insidious use of power".

Such a focus on 'hidden power' effectively shifts the emphasis from 'observable' conflict that may not be observable but is latent, i.e. "a contradiction between the interests of those exercising power and the real interests of those they exclude." Moreover, it allows for a "consideration of the many ways in which potential issues are kept out of the politics, whether through the operation of social forces and institutional practices or through individuals' decisions."[21]

1.3 Mechanisms of Power

Both Lukes and Gaventa acknowledge that this form of power is most difficult to investigate (behavioural analysis and observations are insufficient, since it is indeed 'hidden'), but not an insurmountable challenge. Central to its study is, among others, an investigation into the "historical development of an apparent 'consensus"[22], as well as the "social and historical factors that will explain how human expectations are shaped and how peoples' consciousness of problems is formed."[23] They, moreover, identify the following mechanisms by which each form of power operates in practice.

[21]Geventa (1980), op., cit., pp. 11-12
[22]Geventa (1980), op., cit., p. 27
[23]Sadan (2004), op., cit., p. 42

In the first dimension, power is said to be held by those who can mobilize political resources (e.g. votes, jobs, influence) and effectively employ these in the bargaining game through talents, such as "personal efficacy, political experience, organizational strength"[24], etc. A lack of these resources, or inability to mobilize them, results in the non-participation of the powerless actors.

The second dimension of power -- the 'mobilization of bias' -- works through "a set of predominant values, beliefs, rituals and institutional procedure ('rules of the game') that operate systematically and consistently to the benefit of certain persons and groups at the expense of others." Sustained, primarily through 'non-decisions', the "demand for change ... can be suffocated before they are voiced; ... killed before thay gain access to the relevant decision-making arena; or maimed or destroyed in the decision-implementing stage of the policy process."[25] In practice, decision-making can be prevented by use of force; the "thread of sanction ... ranging from intimidation...to co-option", or the "invocation of an existing bias of the political system". This can be a "norm, precedent, rule or procedure to squelch a threatening demand or incipient issue" through, for example, the manipulation of symbols such as 'communist' or 'trouble-maker', or "the establishment of new barriers or new symbols against the challengers' efforts to widen the scope of conflict."[26].This helps create a negative approach to the subject and to present "a very particular and limited definition of problems"[27], and the mechanisms also include less observation processes of 'non-decision-making power' resulting in 'non-events'. These are 'decisionless

[24]Geventa (1980), op., cit., p.14
[25]Geventa (1980), op., cit. p.18
[26]Geventa (1980), op., cit. p.41
[27]sadan (2004), op., cit., p. 43

decisions' deriving from institutional inaction, or the rule of anticipated reactions in which B refrains from action for fear that A "will invoke sanctions against him."[28]

The mechanisms of the third, hidden dimension of power, so far the least developed and least understood, are defined by Gaventa as the "means through which power processes serve to influence, shape or determine -- i.e. socially construct- conceptions of the necessities, possibilities and strategies of challenge in situations of latent conflict."[29] In other words, means by which "meanings and patterns of action, which cause B to believe and act in a way that is useful to A and harmful to himself ... formed".[30] Gaventa suggests several possibilities for approximation, for one, by studying how language, symbols and social myths are shaped and manipulated in the course of 'power processes'; by focusing on the avenues of communication and information transfer; and by exploring how "social legitimations are developed around the dominant, and instilled as beliefs or roles in the [consciouness of the] dominated".[31] The most obvious power mechanism employed for this end is thought-control by way of controlling information or through the mass media and socialization process. However, there are also more indirect ways through which power can influence political conceptions, notably by way of what Gaventa calls "psychological adaptations to the state of being without power.... growing from the powerlessness experienced in the first two dimensions".[32]

He provides three examples for this phenomenon and they are: 1) as an adaptive response to continual defeat and the sense of powerlessness; 2) by not developing a political consciousness, and "denied the democratic experience out of

[28]Geventa (1980), op., cit., p. 15
[29]Geventa (1980), op., cit., p. 15
[30]Sadan (2004), op., cit., p. 43
[31]Geventa (1980), op., cit., p. 15
[32]Geventa (1980), op., cit., p.16

which the 'critical consciousness' grows [the powerless] develop a 'culture of silence', and socialized into compliance, leading to a state of moral and political passivity" even as the consciousness of the powerless develops, which is malleable and prone to manipulation by the power field surrounding it, so that for the maintenance of dominant interests; it is only necessary to consistently ensure that "key issues remain latent issues and that certain interests remain unrecognized."[33]

1.4 Gaventa's Model of Power and Powerlessness

By integrating the three dimensions and by examining the combined influence of the different mechanisms of power on social responses, Gaventa sought to create a model that would elucidate the complex relationship between power and powerlessness, quiescence and rebellion. His basic premise is that challenge and rebellion only emerge with a shift in power relations, i.e. either when A starts losing power or when B gains power. For this to occur, B has to take concrete action for overcoming his powerlessness and it is important that he tackles the obstacles of the third and second dimensions first (by undergoing a process of issue and action formulation, and by mobilizing action upon issues, so that he can foster his own resources to deploy in manifest conflict), to be able to openly challenge A's power in the first dimension. The latter implies defending "well-defined claims and grievances" in the decision-making arena, together with other supporters facing similar problems.

However, while B may attempt to challenge A's power, A has a similar incentive to engage in the necessary actions to maintain B's quiescence, to overcome and challenge B's attempts at initiating open conflict, and to maintain power relations as they are (A>B). At this, all obstacles B faces in mounting an effective challenge are

[33]Geventa (1980), op., cit., p. 16

simultaneously points of entry available for A to maintain the status quo.[34] However, once B effectively overcomes these challenges and his ability to act increases, his triumph is self-reinforcing and the creation of consciousness and action among the powerless is likely to go ahead at a faster pace, quickly diminishing A's options to maintain his power.

Lukes' three dimensional approach to power and Gaventa's model of power and powerlessness have been chosen as the conceptual underpinning for this study since they illustrate well the complex dynamics between power mechanisms and the apparent quiescence on and limits to rebellion against the issue of hydropower. We will come back to this conceptualization of power relationships, later in this, while explaining the notion of the politicized environment through which this thesis seeks to analyze hydropower projects and related conflicts in this study. Moreover, in Sikkim, the shift in power relationships between a powerful state apparatus, an influential corporate sector and a hitherto quiescent civil society (according to Gaventa is the trigger for challenge and rebellion), has been set in motion -- as it seems, precisely by the socio-environmental injustices the state-led hydropower mission has generated.

1.2 Neoliberal trends in Environment Governance: Commodification, Depoliticization and Post-Democratization

Apart from studying each of the localized mechanisms of power and resistance which are at the basis of a political ecology, and an analysis of hydropower development in Sikkim, this thesis also seeks to embed the North Sikkim case study within the wider context of broader, global, neo-liberal trends in environmental governance and governance of development processes. With this in view, this section

[34]Sadan (2004), op., cit. 43

will involve a discussion on three related strands of this trend, where it will be argued, are reflected in the large-scale planning and construction of the dam project in Sikkim, as well as in its political, socio-ecological effects on local communities and environments.[35]

In the account of the people from the project area, as narrated in interviews, to show how they perceive the project to have affected their lives and livelihoods; however the heated struggle between civil society groups and the state government regarding the planned hydel project in Dzongu has to a some extent diverted public attention. While few Sikkimese knew what the hydel projects actually entailed, or even what they would like to, with the commissioning of it and hearing about and experiencing the project impact, has created much greater awareness about hydel development in Sikkim society.

To illustrate several important issues, which are relevant to the implementation of run of the river R-O-R hydel projects in general, and for Sikkim's hydel mission more specifically, it is out of question that the R-O-R projects, despite claims to their benign character, have pronounced long term effects on the local area: Effects on the natural environment upon which local livilihoods depend, by putting additional pressure on scarce land and water resources and by effecting a change in the agricultural pattern, have unravelled the effects of it on the local economy. The

[35]See, Menon, M. "Up for Grabs: New Sites for Private Hydropower Production in Northeast India", dph database (Dialogues, Proposals, Stories for Global Citizenship), Foundation for the Progress of Humankind, 2011. http://base.d-p-h.info/en/fiches/dph/fiche-dph-8952.html. Accessed. 22 February 2017

realisation is that these do not live up to people's expectations because they don't play out as promised prior to project execution.[36]

This, then, creates frustration; both because the benefits do not accrue to everybody who bears the costs and because cursory benefits too are not long lasting. These environmental as well as socio economic effects could well also lead to economic displacement in the long run, a dynamic that should be closely followed up by the civil society; here it is a problematic because there is no proper scientific study having been carried out in any project located areas. Any casual explanation by the affected people[37] can easily be treated with disdain and rid of their credibility.

Meanwhile, there are significant flaws in the rehabilitation policy and its application by the project developer and the Government of Sikkim.

These include the inequitable and insufficient compensation to the affected communities, as well as the extended time lags associated with the rehabilitation process. Different factors, which all add to the affected communities' experience of the hydel development process, can also be held responsible for the way the latter respond to the government, the decision maker in the execution of the hydel mission.

1.2.1 Commodifying the Environment: Hydropower Development as a Resource Grab

First, as is the consensus, the trends in the neo-liberal environmental governance, which we have observed over the past couple of decades in India, have

[36]See for example Menon & Vagholikar 2004; Dutta. "Affected Citizen of Teesta (ACT)-Deficiencies at Teesta Stage V." 2011. http://actsikkim.com/stagev.html [accessed 02.06.2017]
[37]Drawn from a casual talk with some of affected family member from Ship village, Chungthan, Kazor, Dikchu; West Bengal side, Teesta Lower Stage III Dam side- Rambi Bazer, Rang, 29 Mile, Punbu village-under Kalimpong Jurisdiction (WB)

led to an ever increasing degree of commodification of the environment and of natural resources. Driven in large parts by national liberalization policies but ore importantly by larger global forces of neo-liberalism, the privatization of water and energy resources and the subsequent contracting out, not only of water supply infrastructure but also of entire stretches of river (as in Sikkim), to private entities and public-private conglomeretes, is now in an advanced stage in India as in other parts of the world.[38] This appropriation of natural resources and the commons -- public assets previously considered to be beyound the capitalist logic of profitability -- has resulted in unprecedented levels of capitalist accumulation and has been famously described by David Harvey[39] as "accumulation by dispossession", an idea closely linked to Karl Marx's concept of the so called Primitive Accumulation.

A growing field of research is currently exploring the extent, mechanisms and effects of what is now widely known as resource (land, water, green) grabbing.[40] Leaning on Harvey, Metha[41] defines the global phenomenon of water grabbing as:

> A particular form of accumulation by dispossession under neo-liberalisition leading to the commodification and privatisation of resources, the eviction of certain groups and the conversion of various forms of property rights into exclusive private property right.

[38]see, Adduci, M. "Newliberal Wave Rocks Chilika Lake, India: Conflict over intensive Aquaculture from a Class Perspective" *Journal of Agrarian Change* 9(4) (2009): 484-511; Bebbington, "The globalization of Environmental Governance: Relations of scale in socio-Environmental movements and their Implications for Rural Territorial Development in Peru and Ecuador" 2007. Working Paper, School of Environment and Development, University of Manchester

[39] Harvey, D. *The New Imperialism*. oxford: oxford university press, 2003

[40]A whole range of special issues on various aspect of land, water and green grabbing has been released in 2012, including the journal of peasant studies 39(2) 'the new enclosures: critical perspectives on corporate land deals'; Ibid. 39 (3-4) 'Green Grabbing: A New Appropriation of nature'; Water Alternatives 5(2): 'Water Grabbing? Focus on the reapproprition of finite water resources'; Globalizations forthcoming 'Land Grabbing and Global Governance'.

[41]Metha, L., Veldwisch, G.J. and J. Franco. "Introduction to the Special Issue: Water Grabbing? Focus on the (Re)appropriation of Finite Water Resources" in *Water Alternatives* 5(2) (2012):193-207

In more concrete terms, water grabbing represents

> a situation where powerful actors are able to take control of, or reallocate to their own benefits, water resources already used by local communities or feeding aquatic ecosystems on which their livelihoods are based.[42]

This argument, furthermore, proposes to investigate instances of water grabbing closely and specifically from the points such as the mobilisation of material, discursive, administrative and political power, which enables such a reallocation of water resources and tenure relation:

> The term grabbing highlights legal procedures and political processes surrounding the capturing of water resources, wheather directly connected toland deals or not, while others use it to stress the perceived illegitimate purposes of this capture, and still others to emphasise both aspects. All cases are characterised by unequal relations of power and cmplexities around process and mechanisms that facilitate grabbing in the first place.[43]

Moreover, what distinguishes water grabbing from the control and accumulation of water resources through state control or dominated by national rules (which is probably a Century or millennia-old phenomenon), is the involvement of new private and corporate capitalist players in water resources management, as well as "the rise of new political and economic power relations through diverse trajectories

[42]Metha (2012), op., cit., p. 197
[43]Metha (2012), op., cit., p. 197

of neo-liberalism".[44] As will be illustrated through this thesis, the appropriation of the Sikkimese rivers and the riverine environments by the state government and their subsequent privatization and reallocation to corporate players for electricity generation through the mobilisation of diverse forms of power, bears all features of water grabbing as described above.

1.2.2 Depolitizing of Environmental Governance and Development Planning

A second feature of the global trend of neoliberal approach to environmental issues, which clearly manifests in the Sikkim context, is the process of depoliticization of environmental management, development strategies and planned development intervention; and all these can be seen happening in the case of the hydropower development process in Sikkim. Broadly speaking, 'depoliticization' can be defined as "a process of relocation of issues (or people or institutions) from the arenas of democratic contestation and decision-making into the arenas which are governed by (supposedly) unambiguous and non-negotiable scientific 'facts' and codes rather than contestable social values."[45]

In a more specific sense, it refers to a process of rationalization, that which divests inherently political issues of their political content and reduces inherently political processes – such as environmental management, development planning and intervention -- to a techno-managerial, economic operation, carried out by committees or institutions comprised of supposedly apolitical, technical and administrative

[44]Metha (2012), op., cit., p.196
[45]Mishra, N. "Unraveling Governance Networks in Development Projects: Depoliticization as an Analytical Framework in Environment and Urbanization" *ASIA* 2(2) (2011): 153-168

experts, thereby bypassing issues of contestation in democratic politics. As Mishra[46] argues, "depoliticization has formed a, if not the, central element within the global politics in recent years to justify the formation of technical committees and delegation of responsibilities to a number of arm's-length bodies across a number of policy areas, [promoted] as a way of circumventing conventional politics."

While we will discuss this in some detail later in this section, it is pertinent to note that this also closely reflects what Swygedouw identifies as characteristic symptoms of the post-political and post-democratic condition.[47]

However, this zeroing in on administrative and technical solutions in planning development interventions, including the construction of large-scale water infrastructure projects, with its accompanying depoliticizing effects is not really a new phenomenon. As Molle, et al,[48]illustrate, it is and has been a fundamental feature of historical and present-day 'hydrocracies'. These powerful state water bureaucracies have historically been staffed by water professionals and civil engineers who pursue a 'hydraulic mission' (i.e. large-scale water resources development) entrusted to them by national governments. The latter is "anchored in 19th century scientism and an ideology of the domination of nature, inspired by colonial hydraulic feats, and fuelled by technological improvements in high dam constructions and power generation and transmission."

Influential symbols of state power they are, these hydraulic bureaucracies "engaged in the pursuit of iconic and symbolic projects, the massive damming of river

[46]Mishra (2011), op., cit., p. 159
[47] Swngedouw, E. *Impossible Sustainability and the Post-Political Condition in Gibbs*, D. and R. Krueger (Ed), Sustainable Development New York: Guilford Press. 2007
[48] Molle, F., Mollinga, P.P. and P.Wester "Hydraulic Breaucracies and the Hydraulic Missin: Flows of Water,Flows of Power" *Water Alternatives* 2(3) (2009): 328-349

systems and the expansion of large-scale public irrigation", where infrastructure development often becomes "an end in itself, rather than a means to an end."[49]

1.2.3 Commodification, Depoliticization and Post-Democratization in the Sikkim Hydropower Scenario

As this thesis will illustrate in its course, commodification of the environment and the natural resources, which are part of it, as well as depoliticization in its various guises, form a fundamental aspect of the hydropower development process in Sikkim. Not only water resources but also riverine forests and grazing land have, for centuries, been used as village commons and in particular cases even reserved for certain indigenous tribes, are now appropriated by the state government on the basis of dubious legislations and are then sold/leased out to private corporations.

Depoliticization, both of the discourse and in practice, is a phenomenon that emerges at various levels. For one, it is reflected in the project proponents' (i.e. the state government and project authorities') take on planning and implementation of the hydel projects. Driven by a technocratic approach, it sees hydropower extraction as an inevitable element of development planning; and popular contestation as a calculable and negotiable nuisance factor. At a second level, the pro-hydropower state actors work consistently to minimize popular interference by actively deploying depoliticization and resistance; the Government of Sikkim, in fact, has always gone to great lengths in seeking to keep the issue of hydropower outside the realm of state politics.

[49]Ibid., p. 328

Finally, on a third and at a more global level, depoliticization is a key element and this is as much the discourse that the neoliberal rationalization sets in motion on the domain of environmental governance and the governance of development processes, where the latter is being increasingly relocated from public to private spaces.

This phenomenon is adequately explained by Bebbington[50] through two examples from Peru and Ecuador. In both places, signification of power, both in terms of legislation and government practice, has been transferred to mining companies, whereas the public sector assumes only a facilitating and regulating role. Simultaneously, in both countries, the government institutions have significantly aligned with the private sector. As decision-making on environmental management takes place, increasingly within the ambit of private capital, with bonafide backing of government actors, the possibility for citizen participation in and contestation of environmental governance is dwindling. Besides, environmental governance is assuming an ever greater global character, as environmental decision-making processes at the local level (especially when occurring in the realm of transnational, private enterprise) are being driven by the financial markets and institutions, which provide the necessary capital investment.

As Bebbingtom argues, this precludes the influence of civil society actors, as these transnational spaces often "go beyond the technical, logistical and financial capacities ... of social movement organizations operating alone or in local spheres."[51]

[50]See, Bebbington, A. "The Glocalization of Environmental Goveranance: Relations of Scale in Socio-Environmental Movements and their Implications for Rural Territorial Development in Peru and Ecuaador", Working Paper, School of Environment and Development, University of Manchester. (2007)
[51] Bebbington (2007), op., cit., p. 12

As will be demonstrated in this thesis, the circumstances ascribed to the post-political condition, although a theory devised to describe the political trends in much of Europe and North America; these have considerable relevance in the context of Sikkim (and arguably in India at large). This is so despite the fact that Sikkim is a relatively young democracy (44 years) and appears to be emerging, even at this stage of writing this thesis, towards a democratic transition.

Neverthless, it is clear that the uses of certain technologies of government (as described above) as well as "new forms of autocratic governance-beyond-the-state" appear useful for the advancement of the hydropower agenda, and this despite the number of years spent as part of the world's largest 'democracy'. Surely, the fact that Sikkim is becoming increasingly integrated into a global economy and polity impacts the process or the discourse on development as much as the resistance movements here.

Depoliticization, as discussed above, aims at the exclusion of certain issues from the political processes, and at the exclusion of certain groups from decision-making on inherently political issues. Nevertheless, and to conclude, it will be apt to argue that it is precisely the attempt at depoliticizing hydropower development in Sikkim which – although for many years had been largely successful -- has eventually triggered the unfolding of a project of more democratic-emancipatory politics in the region; there is evidence of a slow reclaiming of the political space for the practice of a deeper, more meaningful democracy.

An actor-oriented approach, in political ecology research, is useful in the sense that it helps disaggregate political and economic structures, bringing focus to the interests, aims and behaviour of different actors at various scales of analysis, to

the extent that they effect processes of social, political and environmental change. This implies a focus on the role of human agency, and explicit recognition of individual (including local) actors, as agents of change. Thus, while actors-oriented political ecology does not downplay the importance of structural factors in determining outcomes of environmental conflict, it "attempts to navigate between the overdetermining essentialism of structuralism and the complexity of atomized localism."[52]

Moreover, in the evaluation of conflicts over resources, actor-oriented approaches help account for the very distinctive aims and interests of different types of (place-and non-place-based) actors, as they shape conflict outcomes and different modes of interaction (e.g. cooperation, coalition-building, contestation and struggle). [53] Finally, an actor-oriented approach provides for a more complex understanding of the multitude of actors. It helps to disaggregate sets of actors, such as 'the state', 'affected communities', 'NGOs' or 'project authorities', which are often essentialized and treated as 'monolithic entities', whereas these tend to be very heterogeneous groups with divergent interests.[54] The internal differences of these groups of actors can thus be analyzed, and attention is given also to those voices which are predominantly excluded.

While this thesis was conceived and executed based on an actor-oriented approach, it warrants qualification that it has not done as much in terms of the

[52] Bury, J. "Transnational Corporations and Livelihood Transformations in The Peruvian Andes: An Actor-Oriented Political Economy" in *Human Organization* 67(3) (2008): 307-321
[53] Jewitt, S. "Political Economy of Jharkhand Conflicts" in *Asia Pacific Viewpoint* 49(1) (2008): 68-82
[54] Bryant (1998); Bury (2008), op., cit.

analytical depth of a full actor-oriented approach as proposed by Long and Long.[55] Instead, an actor-oriented approach has been deemed inevitable for this kind of conflict analysis, due to its focus on power relations and discourse, and the emphasis on both material and discursive means of struggle, calling for the question of who employs which means and why. While structural factors are of course crucial for the understanding of hydropower conflicts in Sikkim, an actor-oriented approach allows for a richer analysis that does justice to the multiplicity and complexity of stakes and stakeholders.

As regards the key types of actors in the global dam-building context, Baghel and Nusser have identified "national states and governmental institution, dam building industry associations and engineering companies, multilateral funding institutions, environmental non-governmental activist groups, and the adversely affected people". They have also divided these into advocates (former three sets of actors) and opponents (the latter two) of large dams. In the 'localized' context of Sikkim however, the array of actors exercising agency in the conflict, at multiple scales, is much more diverse. It included actors as distinct as:

- National and state government agencies – Local and international NGOs
- Regional and national legal institution -Local and national activist groups
- Multilateral funding institutions -Monastic authorities
- Public and private project authorities - Local political parties
- Consultancy firms - Local and national news media
- National/foreign engineering companies - Affected communities

[55]Long, N. and Long eds. "Battlefields of Knowledge: The Interlocking of Theory and Practice" in Social Research and Development" London and New York: Routledge, 1992

- Local contractors-Other civil society actors (including scholars, intellectuals, etc.)

These neither can be separated in water-tight compartments; nor are they homogeneous groups in themselves. The state government, for example, consists of various ministries and administrative agencies, as well as political leaders at various levels, extending all the way to the community level. While most of these actors would officially subscribe to the overall need for developing hydropower resources, they do have differing opinions and interests in pursuing this aim, an accordingly exert agency differently.

A case in point, are a dedicated groups of scientists from the state department for Mines, Minerals and Geology, who were deeply concerned with the geological and hydro geological impacts of run of the river projects in Sikkim; and they made no secret of their concern. Although part of the larger state apparatus, their position and behaviour differ markedly from that of the political leadership who tended to downplay such concerns in order to allow the hydel mission to go ahead smoothly and unopposed.

Also among the project-affected communities, stances towards the hydel mission are not unified. While some individuals, particularly those who hoped to benefit from the projects (and some arguably did benefit) supported the project, there were others who strongly opposed it. Not only do these community members thus pursue widely differing interests, they also differ markedly in their capacity to exert agency in the conflict, some holding elitist positions and influential contacts in the village, and others very much lacking empowerment.

Thus, this study recognizes that the array of actors involved in the conflict is very diverse, and it is emphasised here that the above-mentioned sets of actors cannot be easily grouped into advocates and opponents of large dams.

The large list of the implicated stakeholders above notwithstanding, some practical, methodological concessions had to be made for this research in terms of its actor-orientation. Owing to the limited scope of this study (time and skill-wise), and to the difficulty of access to certain stakeholders, the research focus was narrowed down to the following set of actors (and no claims are made here as to these groups having been comprehensively covered):

- Project-affected individuals and community leaders
- Anti-dam activists
- Local journalists
- Other civil society actors, including scholar and intellectuals
- State actors/government representatives
- Project authorities (both private and public)

While these actor communities have been scrutinized in term of their interests, strategies, activities and the power relations between them and shaping their interaction, the influence of other stakeholders (mentioned above) has been recognized but not explicitly analysed. What complicated the approach to some extent, however, is that actors (and interviewees) themselves sometimes have an essentializing tendency which is reflected in their narratives (e.g. ‘the government’, ‘the project people’, ‘the companies’). This has to some extent limited the insights into actor complexities. The approach, nevertheless, is deemed useful and this showed

for example in the analysis where one of the key finding relates the conflict outcomes to the differentiated nature of different actor-communities.

1.3 Strategies of Domination and Resistance

The actors listed above employ a large variety of strategies in the conflict around hydropower dams, ranging from coercion and control to rebellion and resistance and not precluding more conciliatory, in between approaches, such as compliance, acquiescence, negotiation, cooperation, or more subtle forms of control and rebellion, such as patronage, clientelism, non-compliance and other 'everyday forms of resistance'. In line with Lukes' three dimensional approach to power and Gaventa's model of power and powerlessness (as discussed earlier in this chapter) and very much related to the power relations underlying the conflict, a list of possible strategies, according to which the actors' behaviour has been analyzed. Here these strategies are understood in relation to the hydropower conflict in particular.

However, in reality they are part and parcel of the power mechanism inherent in contemporary state - society relations in Sikkim, and are tied to (often historically root) more general systems of economic and political control, as well as means for exercising 'hidden power'.[56]

It should be added here that hydropower development in Sikkim is an obvious situation of decision-making power (as to whether projects are implemented) vested from the outset with the state government -- this being of course subject to the project plans complying (at least ostensibly) with national policy requirements and thereupon being accorded clearance. This entails that the overall power balance is already tilted,

[56]Gaventa (1980), op., cit.

to a considerable extent, in favour of the state government and the project developers and institutional mechanism for participation of the affected communities and civil society groups are largely absent. Thus, consent by B (the affected communities) to A (the state government), a decision is not perse required, which minimized the possibilities for B of engaging in strategies of non-compliance. Also due to the limited scope of this study, subtle, everyday forms of resistance could not be investigated adequately.

Nevertheless, and this partly from the state government's preoccupation with its people friendly, all peaceful and democratic image, state actors and project authorities seem to be investing a great deal in strategies of domination and control, and actively seeking the consent of land owners (to sell their land to the project) which then does result in opportunities for negotiation and contestation. At the same time, also other members of affected communities and civil society groups have the option of supporting the government in its hydropower development plans or of rising against, protesting, resisting and/ or seeking to obstruct these plans.

An important component of the field work was therefore to ask interviewees (among the affected people and civil society advocacy groups) as to their opinion about and response to hydropower development plans as well as to the state government/project authorities' strategies of domination and control. The latter, have also been largely derived from popular narratives as well as from news and scientific literature.

1.4 Driving Forces for Conflict

The different driving forces of the current conflicts around hydropower development are explored through an analysis of the institutional, political, economic, geographic and cultural environment in which the conflict has shaped up, taking into account how these have historically evolved. This includes material driving forces, such as the impacts of hydropower development on rural environments, economies, lives and livelihoods as well as non-material drivers, such as, for example, the contradictory role of the state government both as an ostensible environmental conservationist and a fierce promoter of large dam projects. Also, the historical precedents of hydropower conflicts and other political conflicts have been considered. From a political ecology perspective, the driving forces also have been analyzed at levels other than the local, including such influences as the growing national and global socio-environmental justice movements, national policy for hydropower exploitation, international or multi-lateral norms regarding the building of large dams, etc.

While I have attempted to touch on these factors as widely as possible, it is beyond the scope of this thesis to address the wider national and global driving forces comprehensively.

1.4.1 Power Relations

The concept of power and powerlessness has been discussed in detail already; suffice it to reiterate here that power relations as underlying factors shaping the conflicts around hydropower development has been looked at -- for one from a structural, political economy perspective. This includes mapping how power is

economically and politically concentrated with certain stakeholders, thereby determining who has access to certain natural resources and decision-making power over their management, and whose access is limited by this distribution of power. Second, power relations are looked at from an ideological perspective, determining who has power to influence popular perceptions, idea, environmental knowledge and dominant discourses, and through which means this is achieved.

Power relations are considered crucial in dertermining, to some extent, the driving forces of conflict; which actors are involved in the conflict and in what way; and which strategies these actors chose. Ultimately, power relations-which are also historically constituted contribute also to the conflict outcomes.

1.4.2 Conflict Outcomes

Conflict outcomes can, of course, be manifold, and may develop significantly over time, thereby affecting the whole practice of hydropower development and through it, the environment, the local economy, social and cultural relations, as well as rural lives and livelihoods. Since this study was carried out within a relatively limited time frame, conflict outcomes are interpreted purely in terms of the socio-political changes they produce, referring herein to changes in (power) relations between state actors, society more generally, and the different project authorities. Socio-political changes are also considered, including the local policy and practice of planning and implementing hydropower development. In this study, it is argued, that an apolitical, neo-liberal, techno-managerial way of governing hydropower development in Sikkim has been a major driving force of the current conflicts around hydropower in the state. This has produced pronounced politicizing effects, with signs of (slowly) increasing the political space for popular influence on environmental

governance processes, which may help to speed up the overall process of democratization, and thereby refashion state-society relation.

1.4.3 Historical Perspective

In terms of the historical perspective adopted in this study, two aspects of Sikkimese history are argued to have particular influence over the hydropower conflict scenario and the underlying power relations. One is the legacy of Monarchy and British colonial policies, creating among the Sikkim population an ethnic patchwork with a carefully crafted 'sikkimese/non sikkimese' divide, and which continues to thrive on an entrenched insider-outsider politics that has very much pervaded popular consciousness. Secondly, the mixed appreciation of hydropower development in the rural areas, is very much conditioned by two factors: One, a rural political economy which used to thrive on commercial cardamom cultivation but has received a severe blow in recent years, thus spurring a rush to exploit new sources of income to sustain improved lifestyles; and two, a historically rooted dependence on the state as a popular material benefactor (including the association of 'development' with top-down state intervention), such that it becomes difficult for many rural households to make do without government support (in practice) or even just to imagine the state away.

1.4.4 Spatial and Temporal Dimensions

Last but not the least, conflicts around hydropower projects in Sikkim have both a spatial as much as a temporal dimension. Spatially, the characteristics of the conflict depend very much on the geographic location with respect to the particular project movements (e.g. up or downstream of the dam site), which determines the

extent to which a community is adversely or positively affected. Temporally, conflicts, actors and driving forces change depending on whether one looks at the planning process, the construction phase or at the post-operational, long term impacts. As is illustrated by this particular case study, the power relations and conflict and consequently the nature of the struggles have changed considerably from the initial years of the hydropower mission to present date.

The following section briefly outlines the research questions that follow from this thematic and theoretical approach, as well as the particular research design and methodology applied for this study. Some of the most important methodological limitations are outlined towards the end of the section.

1.5 Main Research Question

Why, in the massive social and environmental externalities resulting from large-scale hydropower development in Sikkim, has there been such widespread quiescence and limited contestation of the state-led development agenda? In order to answer this substantive question, it is imperative for a set of sub-questions or supplementary questions are raised and answered; and they are:

1.5.1 Sub-Questions

- What are the various factors that determine how project-affected individuals, communities and civil society organizations respond to the government's hydropower mission?
    a. What are the factors driving hydel-related conflict in Sikkim?
    b. Which strategies of domination and resistance are employed by different actors in different phases of the intervention process/at different project sites?

c. What underlying power relations (exercised through political-economic/structural and ideological-discursive mechanisms of power) influence these strategies?
d. How strategies and power relations are historically embedded and how have they evolved over time?
e. To what extent do conflict drivers and conflict outcomes (including project impacts) influence citizen responses?

❖ How do hydropower development conflicts ultimately affect the relationship between different actors, notably state, (civil) society and project developers, as well as the political environment in which these are embedded?

1.5.2 Research Design

For this case on state –society interactions over hydropower development in Sikkim, the focus has been on North Sikkim hydel project sites at different stages in the planning/implementation process, to explore both individual and collective attempts at project contestation and negotiation. The first site, the 510 MW Teesta V HEP, is located between Dikchu and Singtam and covers areas in north, east and south Sikkim. This project was constructed between 2001 and 2008 and has been operating ever since. It is Sikkim's largest operating Run-of-the River project to date (next to the 60 mw Rangit III HEP), and arguably also one of its most controversial due to the highly obscure implementation process and the socio-environmental impacts it generated. In the Teesta V project area, the research focus was put on the

diverse long-term project affects (both environmental and socio-economic), as experienced by local communities, which have so far remained under reported.[57]

Moreover the ways in which local actors (individually or collectively) have so far sought to (and been able to) contest the hydel project and scrutinized it, along with the factors underlying their responses have been accounted.

The second project site chosen was the Panang 530 MW HEP and the Chungthang 1200MW HEP, notably in the area Dzongu reserved forests and the subsequent decision by the Government to reverse the Chungthang project due to the resistance put up by devote Buddhists as well as due to the objections arising due to the project site being located in the Lepcha Reserved and Kanchendzonga National Park reserved area. Here, seven hydel projects of approximately 150 MW each were proposed to be constructed on the Teesta River and Rangyoung -- tributary of the river Teesta, a river of immense spiritual importance to Buddhist and animist communities in Sikkim. The research focus in this is placed on the way in which local communities contest the proposed project as well as their terms and conditions, already in the planning phase.

It was also investigated as to the extent to which this related to the way in which local communities were and are informed about the project plans by project authorities and state actors, and to what extent these stakeholders otherwise influence their attitude to the project.

Furthermore, the instances of collective advocacy around (i.e. for and against) the hydel projects as a third way of contesting the state-led hydropower mission and

[57] Short-term impacts and impacts that occurred during the construction period have partly been covered in secondary literature; therefore I have chosen to follow on the most recently felt impacts.

its experience has been looked into intensely. For this purpose, the research involved speaking with a cross section of the activists and other individuals engaged (in the past or present) in different collective struggles against hydel projects. The quest here was to understand the strategies used, the interpretations of the success of the respective struggles, as well as the obstacles faced, and to what extent these factors are related to one another.

Fieldwork was carried out for over three and half months between August and November 2015; however, reading newsreports in the print as well as social media on the various events connected to the movement/protests was not confined to the short duration of the filed work.

1.6 Research Methods

This research was carried out in a purely qualitative manner -- essentially because of the kind of information sought, but also because of time and resource constraints would not have allowed for a (surely valuable) combination of qualitative and quantitative approaches. The main research method was interviews and conversations -- both semi-structured and unstructured, but on site presence in the hydel affected area also allowed for valuable observations. Interviews were carried out with affected individuals or households, along with focus on local experts/NGO members. Most interviews (those in Lepcha and Nepali Language), for the research component, involved open ended conversations with activists involved in different collective anti-hydel advocacy struggles. Finally, in order to triangulate and adequately interpret the findings, as well as for valuable background information, local experts (including academics, journalists, NGO members and other functionaries) were interviewed.

Particularly on the aspect of collective advocacy and public contestation of hydel projects, but also regarding project impacts and citizen concerns during hydel planning, much has already been reported in academic literature, NGO reports, video documentaries and local and national news media. Such literature sources have therefore formed a useful collection of secondary data for this study. Moreover, these have been also important reference point for evidence about public discourse on hydel projects (especially discourse employed by the government and civil society advocacy groups). Another useful reference point for discussion on hydel projects by Sikkim citizens has been the September 18 facebook group, an online forum set up by civil society actors, for communication and information exchange following the 18 September, 2011 earthquake in Sikkim, and which is persisting (although less active) until now.

1.6.1 Methodological Limitations

Without doubt, the way this research has been designed and carried out is not flawless. Apart from personal shortcomings, in terms of planning and conceptualization, the choice of the research topic and location was beset with many practical difficulties. First, obtaining access to the files in the various departments and offices in Sikkim turned out a treck through the maze of officialdom and presumed 'confidentiality' and most often time-consuming bureaucratic procedures, which complicated research activities in the state. This was particularly also the case because of the research topic chosen. Hydropower projects have, over the years, become a politically highly charged and sensitive topic (not least since the ACT protests in 2007), public or many citizens and government officials are nowadays avoiding open discussion about it. This complicated access to certain stakeholders (including state

actors and project authorities) and made it difficult to gain the trust and confidence of citizens to openly speak about the subject. For the same reason it was also difficult for local NGOs and research institutions to support this research project due to the fear of being associated with the research and branded negatively, or for sheer unwillingness to engage with the subject at all.

Finally, however, most blame in how certain interviews were conducted should ultimately go to me. Being equipped with limited interview experience as well as working in the initial phases with poorly focused research conceptualization and guideline meant that the period of fieldwork it was a learning process for me. Whilst it enabled me to refine my research skills considerably, it unfortunately also reflected on the results. Surely then, choosing an incredibly complex, politically sensitive research topic in a complex historical area, considering the scope and time allocated to the project, was an error in itself. Giving more focus to the research endeavour (both conceptually and historically) would surely have made much sense. It was however, an incredibly rewarding error, and the relevance and urgency of the subject never actually made me regret that choice.

Last but not the least: This thesis was conceptualised not merely as an exercise for a doctoral degree. It was, indeed, as part of my own involvement as a participant in the movement as such and ACT more specifically, that the subject came up as a possible research area. As it is with such projects, research into this was carried out with a baggage in hand. Call it a limitation or strength and this is the case.

Chapter 2

Dzongu: A Restricted and Reserved Land

2.1. Introduction

Before introducing the Lepcha reserve, called Dzongu, it is desirable that Sikkim, in general, is briefly introduced, as this would help easy to understand the Dzongu better. The Lepcha, as they called themselves, the *Rongkup* (Ravine folk) claim to be the autochthons of Sikkim proper.

It was in the fifteen century, during the era of the Lepcha Chieftain, *Thekung Tek*, that the first migration of the Tibetan- Kham people into Sikkim, took place. The legends have it that the mighty Kham King, *Kye Bhumsa* and his wife, remained childless for many years and were at last, as told to them by the lamas, sought advice of *Thekung Tek* who has the reputation of being a seen.

Accordingly, *Kye Bhumsa* brought the audience of the *Thekung Tek* into his dwelling in the deep jungles. He was told that he would father three sons; in due course this prophecy came true. A blood brotherhood was sworn between *Kye Bhumsa* and *Thekung Tek.* And with this brotherhood, the Lepchas agreed that the Bhutias could settle in Sikkim and the two tribes would live harmoniously as friends; the Lepcha chief erected nine stones facing the Mt Kanchendzonga at Kabi to mark the pact and invoked all the guardian deities of Sikkim as witnesses; the stone marking the first pact between the Lepcha and the Bhutias still stand at *Kabi Longchuk* and to this day, the Sikkimise observe the anniversary of the pact on the fifteenth day of the ninth month of the Tibetan calendar.

The legendary account of the founding of the Sikkim kingdom also connects the country with the great ritualistic schism in the Tibetan monastery; the tradition tells how three monks of the Bhutan Red Hat sect, flying from persecution, set on foot by the reforming party in Tibet, met after many days of wandering at the place called Yuksam. From there begins the modern history of Sikkim and with the consecration of Phontsong Namgyal[1] in 1642 as a first ruler of the country. However, the boundary of present day Sikkim is demarcated by the Anglo Chinese convention in 1890. The convention reads:

> The boundary of Sikkim and Tibet shall be the crest of mountain range separating the waters flowing into the Sikkim Tista and its afflunts from the waters flowing into Tibetan mochu, and north words into other rivers of Tibet. The line commences at Mount Gipmochi on the Bhutan frontier, and follows the above-mountain water parting to the point where it meets Nipal territory.[2]

Thus, the boundary of Sikkim coincides with the basin boundary of the river Teesta in its upper course. While the northern, western and eastern borders of the state are demarcated by the ridges and are shared with China, Nepal and Bhutan respectively, the waters of Rammam, Rangit and Rangpo demarcate the southern boundary and separate Sikkim from the state of West Bengal. Being a mountainous terrain, its elevation ranges from 1200 to 2800 feet above sea level. It is divided into four districts: east, west, north and south, each district is further divided into revenue blocks.

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[1] Namgyal/Dolma. *History of Sikkim.* 1908, unpublished
[2] Risley, H.H. *The Gazetter of sikim*. 1894. P.1

The north district, the largest of the four districts is also the least populated,[3] in Sikkim. Mangan is the district head quarter of Chungthang and Dzongu sub-divisions. The entire north district falls under the restricted area. Consequently, access to all these restricted area[4] warrants a permit. This requirement was first imposed in 1958 vide Notification 3069 of the Sikkim Darbar and this law, being one of those that was in vogue before Sikkim became a part of the Indian Union in May 1975, remains protected under clause (f) of Article 371 F of the Constitution of India. It continues to be one of the laws in force and there are provisions for reservation for three different categories of people: the Schedule Tribes (ST), the Schedule Castes (SC) and the Other Backward Classes (OBC), in government (state and national) jobs, public services and higher education. Additionally, the Schedule Tribe (ST) and the Schedule Castes (SC) benefit from the reservation in the political institutions of Constitutional Democracy too.

In the State Legislative Assemblies seats are reserved for them. In 1978, the Lepcha and Bhutia were listed as Schedule Tribes (ST) of Sikkim. Although the Bhutia and the Lepcha are a minority community in Sikkim as such, they constitute the majority in the north district. In that sense, that north Sikkim is essentially a tribal region and it consists of only three assembly seats (out of 32 across Sikkim) and all three are reserved exclusively for the Bhutia/Lepchas.[5] The three assembly seats are Djongu, Lachen-Mangan and Kabi-Lungchuk constituencies.

[3]State Socio Economic Census 2006, Department of Economics, Statistics, Monitoring and Evaluation Government of Sikkim

[4]According to the Notification No. 665/PS/ dated 27-09-1954(annexure 13 to the write petition), entry of traders/agents into Dzongu area were strictly banned and by the proclamation dated 30-08-1956 (annexure 11) outsider was not permitted to entry into north district without a valid permit issued by the government.

[5] BL, Bhutia-Lepcha constituencies

In 2002, the Scheduled Tribe Order was amended to include the Limbus and Tamangs in the list along with the Bhutia/Lepchas.[6]

The North district shares a sensitive border with the Tibet Autonomous Region of the Peoples' Republic of China and it is a bio-diversity hotspot and has a vibrant tribal culture, snow capped peaks, secret lakes and valley of the flowers. The total area of north district is 4226 in sq.kms. With a total population 38,352,[7] the district is made of 61 villages.There are two small towns/*bazaar* in the district that is Mangan and Chungthang, both established in the early 20th century during the Younghusband mission and later it become a storing place for cardamom for onward export to West Bengal via Singtam.

The region, now identified as north-Sikkim was, once upon a time, known as the cardamom capital of the world and is the home of the Teesta River and its tributaries. It is 68 kilometers away from Gangtok, the capital city of Sikkim and is at an elevation of 3998 feet above sea level. Mangan is the gateway to the unexplored north district. The notion of modern Sikkim as well as the state's socio economic census[8]considers places in the north and west districts of Sikkim at a level below the

[6] This is being debated seriously at present, because according to their status as ST, they have a right to reserved seats in the Sikkim state Legislative Assembly and the implementation poses great problems. There has never really been a distinction made between ST seat and BL seats, because it was not necessary beforehand. For an example, the order no. 28 given in the current Gazette on 4th of September 2006 clearly refers to BL seats and not ST. the constituencies are reserved as BL in the order. Now it is disputed, if the Limbus and Tamangs should be given a share of the 12 seats, if they should receive additional seats and if the number of assembly seats should therefore be rise. The Gurkha Apex Committee (GAC) for example despite the decision of the supreme court of India regards the 12 BL and 1 Sangha seat, that is reserved for the monk body, as unconstitutional, because they are not proportional to the population. The Gurkha Apex Committee (GAC) is an organization promoting the right of the Nepali in Sikkim and often styled as counterpart of the SIBLAC. The GAC has now converted into a political party. They are rallying to change the BL seats into ST seats so that the Limbus and the Tamangs can share them with the BL (NOW! 03-09.09.2003:6).

[7] State Socio Economic Census 2006, table 4.20: community wise distribution of population of North district, total population is 38,352, the total population of Lepcha -14370, Bhutia-9221 and Limbo-4619, remaining are other community

[8] Survey done by Department of economics, statistics, monitoring and evaluation government of Sikkim 2006,(DESME)

socio-political and economic standard compared with the east and south districts of Sikkim.

2.2. Climate and Rainfall

North district of Sikkim consists of regions that may fall under all kinds of the climate zones, right from the tropical to the alpine snow forest with considerable variation; the district as a whole, enjoys more than average rainfall, the monsoon starts usually in the month of June and continues up to the month of September. The rainfall varies from place to place due to variation in the altitudes.[9] The north district records show heavy rainfall at times as compared with the other three districts and has caused flashfloods and land slides, because of the steep sitting of hill and mountain range. Tracked back to the mid 20th century, most of the north district areas was hit by avalanches,[10] particularly the areas such as Lachung-Lachen, Tong and Panang Dzongu, etc.

Geographically, Sikkim state is essentially a mountainous state without a flat land and the landscape, eespecially in North Sikkim, provides a sweeping panorama of mountains and sky, emerald lakes and a large variety of altitudinal and climatic conditions, which have created different forest types and a variety of vegetation. North Sikkim in particular and Sikkim as a whole, is rich in flora and fauna, hundreds of variety of wild animals, butterflies, the red panda, orchids and trees[11] and this was

[9] Climate change in Sikkim patterns, impacts and initiatives, 2012 P.103
[10] Night of 15 September 1950 a massive landslip cum flood hit in Lachung village, Phaka village, mission compound wash away report of government of royal Sikkim archive 1950
[11] J.D. Hooker, Himalayan village part-I

one of the reasons behind the erstwhile Himalayan kingdom giving the special protection status to the whole of north Sikkim.[12]

2.3 Administration

Sikkim has a conquered history; or let us say, has a history of being conquered many times over the past. Until 1642 or until the time from when Phuntsog Namgyal was consecrated the Chogyal or king of righteousness, the whole of Sikkim was not populated entirely by the Lepchas. Nevertheless, the Lepchas were certainly in control of the affairs of the economic and political life in Sikkim as a whole. This is clear from the following lines of the Mainwaring:[13]

> The Lepcha language which had, hitherto, been the language of the whole century of Sikkim, which all Tibetan, Bhutia, or other who entered the country acquired and spoke, in which under role of colonel Lioyd, business was carried on, and justice in the English court administered, in the character of which, decrees and documents were written and recorded.[14]

However, after 1861, the Lepchas began to lose everything one after another. Their language came under the heavy influence of the Tibetans. Meanwhile, north Sikkim, where the Lepchas were concentrated, the Nepalese or others were not

[12]Under 3069 Notification Government of Royal Sikkim 1958

[13] Ggeorge Byres Mainwaring, he was serving in the Bengal civil service and British India employed him as interpreter, in 1867 Mainwaring was ordered to come to Darjeeling to study Lepcha language and compile a grammar and a dictionary in Lepcha language, he devoted many years of his life to Learn Lepchas, and thus he obtained a personal and practical familiarity with the Lepcha Language, which he developed in the Grammar of the Rong (Lepcha) Language as it exists in the Dorjeling and Sikim Hills (1876). It is a strange work, instinct with the author's admiration of the lepchas as "the son of the forest" and their, in his opinion, prehistoric language: "the language is…unquestionable far anterior to the Hebrew or Sanskrit"

[14] Mainwaring, G.B. *The Grammer of Rong* (Lepcha) Language, as it exists in the Dorjeling and Sikim Hills. Delhi-110006: Daya Publishing House, first published 1876, reprinted 1999. Pp. XIII-IV

permitted to settle down there under the Sikkim Darbar Notification No. 3069 of 1958.

It must be stressed here that there has been a common practice (or say a consensus enforced in some sense) among scholars on Sikkim's history and society to mark the beginning of its political history from only with the establishment of the Namgyal Dynasty. Among the reasons for this is the lack of documentary evidence for periods before that. However, there is information available from the various Lepcha and Limboo oral traditions that suggest the existence of tribal chiefs and a unique institution resembling rudimentary monarchy.

It is true that a documented and chronological history of the Lepchas and the Limbo rules is not available. However, Lepcha legends describe *Pohothak Punu*[15] as the first Lepcha ruler of the *Mayal* country, presently the state of Sikkim. Nevertheless, documents are not available of this period in pre-modern Sikkim. However, when Sikkim came under the Namgyal dynasty, some documents are available showing that the administration of Sikkim was left in the hands of a Lepcha and in the absence of a King, the Lepcha was appointed as a revenue collector.

Conventional historiography of modern Sikkim, hence, marks its beginning with the consecration of Phontsong Namgyal [16] as the first ruler of the country/kingdom in 1642. Meanwhile, though the first king was consecrated in a religious ceremony that year, there was no organized administration in the country as such. The country, hitherto and for some years since then, was divided into a number of principalities ruled by the chief of different tribes and clans. Each ruler had their

[15] No written document, however most of the Lepcha people use to narrate the story of *pohorthak panu* was a first ruler of lepcha
[16]Namgyal/Dolma. *History of Sikkim*. 1908

own rules, based on customs and tradition, to regulate the affairs of the village. After the consecration, the whole country came under the supervision of the monarch; for easy administration, the King divided the whole country into twelve dzongs[17] and devolved some powers to the officers appointed at this level. This arrangement continued for many years since then and also underwent changes in form and nature. Though the administration was built on the state centric perspective, the King had allowed the functioning of the village Panchayat system under various names in different parts of the country; such as in the Dzongu region in north Sikkim, there is a localized system of village administrative called *Chhodu* while it is the *Dzumsa* in Lachen and Lachung villages.

2.4 Dzongu Reserve and the Strength of Homogeneity

A certain sense of cosmopolitanism has marked Sikkim's history. Its small size and infrastructural limitations have led to a random mix of population, belonging to various ethnic groups, settling in over time. Although consisting of pockets with the larger presence of individual communities, and thus common lifestyles exists, larger territorial segments contain a mix of peoples and a range of social groupings. In such a situation, priorities differ and aspirations vary leading to a scenario where demands and stands are prompted by different reasons, even for localized events.

This makes cohesion difficult to achieve even for protest movements against obvious targets like a hydel project. However, Dzongu's segregated status over the Centuries give it a homogeneity, which helped tide over the melting-pot incoherence that ACT's interventions in other parts of north Sikkim suffered from.

[17] Dzongs means districts in present day, during the Chogyal dynasty Sikkim divided into twelve dzongs i.e. 1. Lassu, 2. Dallom, 3. Yangthang, 4. Gangtok, 5. Rhenok, 6. Baemeak, 7. Tashiding, 8. Song, 9. Libing, 10. Maling, 11. Simik and 12. Pandom, Administrative report of Sikkim state for 1910-11,1930-31,1932-33

Dzongu has traditionally been a predominantly Lepcha peoples' land. Its steep ravines must have made it un-appealing to the Bhutia community who were essentially herders and sought out pastures; its remoteness and the harsh terrain made it unfavorable for agriculture which was the specialization of the Nepalese community. The Limboos, recognized as the autochthons of Sikkim, alongside the Lepchas and Bhutias, were concentrated more in the south and west Sikkim, leaving Dzongu free, through its history, for the Lepchas. In the nineteenth century, the king of Sikkim gave the Dzongu tract in dowry to his wife and this ensured even more exclusivity for the region.

Eventually, in 1958, the exclusive claim of Dzongu's Lepchas over this land was formalized by a royal proclamation. In the north district of Sikkim, of which Dzongu is part, as per the data reflected in the 'state socio-economic census 2006 - 2011' conducted by the Department of Economics, Statistics, recognizes the Lepchas as the single- largest community of the district. More than half of the Lepchas of North Sikkim reside in the Dzongu. It not known exactly when was Dzongu created, as Lepcha reserved, though it is quite probable that it took place towards the end of the nineteenth century or the beginning of the twentieth century when it was clear that unless given special protection, the Lepcha would completely wither away. The experience in the Darjeeling hills must have enlightened the British political officers, serving in Sikkim, to propose the Dzongu area to be reserved for the Lepcha.

Many contentions concerning the meaning of 'Dzongu' exists; some scholars are of the view that Dzongu was the name given by the Bhutanese, meaning place with forts on top of the hills while some others hold that Dzongu is a name given by the Tibetans, meaning a place with nine districts. Meanwhile, looking into the history

of Sikkim, before 1975, we find the whole kingdom having been divided into twelve Dzongs.[18] However, Dzongu consists thirteen out of the total forty-five revenue blocks under the north district of present day Sikkim. It is important to stress here that there is no town, police station and fire station located within Dzongu.

The total area covered by this reserved area is 15,845 hectares. The total population, according to the census of 2011, is 11,320. Administratively, Dzongu is divided into two parts Upper and Lower Dzongu.

The Dzongu falls under the Mangan sub-division and it is situated at a distance of 18 kilometers from Mangan and 82 Kilometers from Gangtok. It lies at an elevation of 4572 feet above sea level. Dzongu is bounded by river Teesta and River Rangyoung. The Lepchas inhabit Dzongu, predominantly. Today Dzongu is reserved and restricted for Lepcha or the Dzongu people. There is only a small amount of literature regarding as to when and how Dzongu become reserve area for Lepcha of Dzongu people. Even though it is general knowledge (folklore) to everybody living and working in Sikkim that Dzongu is reserved for the Lepcha community only, it is difficult to find any laws actually protecting the area.

The first reference found on the area of Dzongu in the 'History of Sikkim' is sometimes in the beginning of the 20thcentury; there was a land dispute over the area of present day Dzongu. The land was given to the queen of Sikkim.[19] It is said that she wanted the land only to be settled by the Lepchas of Sikkim. And the proclamation of the Chogyal, in 1956, it is stated as follows:

[18] Dzongs words derived from the Tibetan and Bhutanise language. In Tibetan dzongs means district and in bhutanise language dzongs mean fort
[19] Namgyal/Dolma. *History of Sikkim*. 1908:249

> Indigenous and backward people in North Sikkim required, as hitherto, to be duly safeguarded.
>
> HIS HIGHNESS is pleased to order that the rules relating to the settlement and/or the carrying on of any occupation in such area (i.e., North of line formed by the Dick Chu from the Chola, down the Teesta to Ranghap chhu, up the Ranghap chhu till it meets the 27.25 minutes latitude and thence along it to the western border of Sikkim) by outsiders (non-indigenous) only on a permit issued by the Sikkim Darbar shall continue to hold force".[20]

In this proclamation, it is made clear that the Bhutia-Lepcha are considered the indigenous people of Sikkim by law and the delineated area is reserved for them.

In 1958, it was the further established that outsiders (non-indigenous) could only remain in the area of north Sikkim, named Jongu, with a special permit issued by the Government of Sikkim.[21] Later, in 1965, a general order was issued concerning protected areas in Sikkim: "No new people are allowed to reside in these areas and people intending to enter for visit or work have to obtain a permit."[22]

[20] Sikkim code Vol. II, Part I: 91, 92
[21] Sikkim code Vol. III: 38
[22] Sikkim code Vol. III: 88

Until today, the protection of the Dzongu has been upheld and no one other than the Lepcha of Dzongu is allowed to settle permanently. Considering the vast changes and the large-scale development projects such as dams that have been and are being carried out in the north Sikkim, the Lepchas of Dzongu, at present, fear about their sanctity.

In reference to the administration, of Sikkim[23], Dzongu have their own system of village administrative structure/tradition called the *Chhodu*[24] system; apart from that, the Lepcha of Dzongu have their own history of the Dzongu area which is intertwined, most often organically, with myth.

One of the most important Lepcha myths is the narration of the *lasso mung.*[25] It gives an explanation about the creation of space and time. An evil spirit, according to the myths, harassed, tortured and killed the Lepcha people, until they could finally slay him.

There are many different elements to this central myth. One focus on the creation of space as it is known today; name of the places and villages in Dzongu are derived from the ways the *lasso mung* murdered Lepcha at various places. It connects the greater cosmology with the history of every Lepcha village in the Dzongu area. Furthermore, the same myths explain the origin of the clans as well as the basis of social organization of the Lepcha community.

[23] Namgyal/Dolma. *History of Sikkim*. 1908:24

[24] Is village council, in the Chhodu system Youmi is the head of the village and Gyapons are the assistant of Yuomi, after that mondal system mixed with Chhodu system and Mondal become a head of the village, again after Muktiar over all under the Muktair Mondal then Yuomi and Gyapons, eventually, after 1890 had seriously disturbed the traditional political system of Sikkim when British political officer introduce the new administrative system

[25] Lasso mung is lepcha myth, narration collection and interview with senior villager

Some Lepcha clans, the myths hold, came into existence through the dissection of the *lasso mung.*

The perception of time in the Lepcha calendar is also explained. The *mung* changed its appearance, all in animal forms, twelve times to confuse his followers. These animals give the twelve-month cycle of the Lepcha calendar. The Lepcha New Year festival, *Namsoong*, is an annual rejoicing of the Lepcha peoples' victory over the most evil *lasso mung*. Methodolical concerns over validation of myths as historical facts notwithstanding, it may be stressed that various scholars on the Lepcha have built their own interesting accounts.

2.5. Emergence of Dzongu Enlargement

From a strictly historical point of view, hardly anything is known about the Lepchas or the Dzongu reserve until about the year 1600 AD. Due to this acute lack of material, as historical evidence, it is impossible to write a history of the Lepcha or Dzongu reserved area. Literary activity on this and the region, beginning the Sixteenth Century, was triggered about the time when the country become known to travelers; and obviously British officers and others delighted in describing their extraordinary experiences in the hitherto unknown country.

Dzongu reserved area was connected with the outside world through the travelers as well as literary activity of scholars since the early nineteenth century. The history of indigeneity of the Lepcha community of Dzongu deserved special attention from the scholars and cultural observers, as they are one of the very few indigenous communities in the world who are able to regenerate the community after enduring ethnic trauma for several centuries.

The invaders, the colonial empire and finally the majoritarian exclusion of them had inflicted the trauma. The community, now, is in the process of reclaiming the past and its ethnic identity; dwelling into their culture and memory, part of the memory devolved through generations and parts a reconstruction of an immemorial past.

The centrepoint in the current ethnic regeneration of the kind we see now is the 'Dzongu holy land', '*Mayel Lyang'* the early habitat of the Lepchas. The Dzongu Lepchas define their ancestral land as *Mayel Lyang* - 'the hidden paradise'- as it means. At present, the holy land and *Mayel Lyang* for the Lepcha community is not a simple geographic entity of which the Dzongu valley had been an integral part. In the current imagination of the Lepcha community, holy land and *mayel lyang* is a symbol of their immemorial ties with the land, river, forest indigeneity and a window of gaze at the future.

In this, the first element is the concept of 'indigeneity' and the second is about 'history'. The problematic regarding 'indigeneity' is presented in this chapter within the framework of global definition. It connects the Lepchas as an indigenous community with its other counterparts in the world who had to face displacement, impoverishment and exclusion, following conquest, colonization and mainstream domination. It is indeed a fact that the ethnic trajectory of all those communities does not follow a linear path. Each community has different histories of displacement. Despite the historical and contextual difference, displacement and culture amnesia (essentially an outcome of 'enforced' or 'imposed' knowledge by the coloniser as underscored by a host of postcolonial

scholars since Frantz Fanon) is common to almost all the indigenous communities in the global context.

It is, although, a fact that many indigenous communities have already lost their distinct culture and ethnic identity through the process of conquest and colonization and many communities have been trying to re-establish their innate bonding with the land through political and legal movements.

In this chapter, it is also analysed how the indigenous status of the Lepcha community in Dzongu valley had been questioned and challenged over time, by vested powers, in the past and present and how the community is trying to equip itself to address the challenge in the locales of the Dzongu valley.

While about 'History' the central question is as to "how do you write the histories of suppressed groups? How do you construct a narrative of a group or class that has not left its own sources?"[26] This challenge intrigues the entire course of writing this thesis and especially so while attempting to write a brief historical narrative on the Lepcha community. The problematic are created from several fronts. Most importantly, the community virtually lost their ethnic memory through the processes of subjugation, proselytization, intimidation, inferiorization and marginalization.

There are, however, a number redeeming aspects, which may enable a scholar to re-trace history. In the first place, the Lepcha are not merely an oral community although there is hardly any archive that has survived from the past. In the pre-colonial time, they had their written tradition, grammar, syllable, and

[26] Chakrabarty Dipesh, Provincializing Europe: Postcolonial Through and Historical Difference, Princeton University Press, Princeton, Oxfort, 2000, p. 98.

song and textualized aesthetic tradition. Some texts still survive despite the onslaughts on the community. Very few texts, however, survive due to their traumatic past during the colonial and post-colonial era. Interestingly, memory of the tradition and the past had been a powerful instrument of the Lepcha to endure the ethnic trauma and to resist the ethnic subjugation.

It warrants, however, to stress here that 'memory' does not always reproduce an 'authentic' past or history; but collective memory does indicate the 'history' of a time and a group of people.

The term, 'Indigeneity' now is subject matter of a global debate especially in the western hemisphere, such as in the USA, Latin America as much as it does in Australia, New Zealand and Africa indeed. In the global context, 'indigenous' or indigeneity entails cultural, legal and political rights.[27] Moreover, more than as merely an issue, it involves activism and movements. The politics of indigeneity addresses serious revision in the current policies of a given state; in other words, "indigeneity calls for a more radical approach -- not just remedial measures to address mal-distribution, but a restoration to the descendants of the indigenous peoples of some or all rights -- rights of sovereignty, rights of property -- that were once held by their ancestors."[28]

Today, the term indigenous refers broadly to the living descendants of pre-invasion inhabitants of lands now dominated by others. Indigenous people, nations, or communities, are culturally distinctive groups that find themselves engulfed by settler societies born of the forces of empire and conquest. The

[27] Waldron Jeremy, "Redressing Historic injustice", university of Toronto Law Journal, 52 (2002); James Ananya, Indigenous peoples in international Law, Oxford University press, Oxford, 1996.
[28]Waldron Jeremy, "indigeneity? First people and last occupancy", Quentin-Baxter Memorial Lecture, Victoria university of Wellington Law School, December 5, 2002, p.6

diverse surviving Indian communities and nations in the western hemisphere, the Moris of New Zealand, the tribal people of Asia and other such groups are generally regarded as indigenous. They are indigenous because their ancestral roots are embedded in the lands in which they live, or would like to live, much more deeply than the roots of more powerful sections of society living on the same lands or in close proximity.[29] In India, the issue of 'indigeneity' has been kept undercover, primarily, because there is large number of indigenous communities in the Indian soil. It is indeed difficult to locate indigeneity in the myriad backward communities in terms of the definition of 'original inhabitants of the land' in all over India based on the above definition. The geographical location, now known as India, encountered various invasions, conquests and migrations over the millennia.

In this chapter the term 'indigenous' is used, not in a constitutional sense of it or in terms as perceived from the colonial state or the post-colonial state. It required further conceptual and analytic debate, whether the definition of 'indigenous' communities of the west and 'tribes' in India share the same or similar qualifications. However, as has been pointed out, Indian 'tribes' have been drawn to several welfare schemes and developmental packages as well as the communities enjoy privileges in education and employment through the various faces of the quota system.

Theoretically, the Indian 'tribe' enjoys protection to their ancestral possessions over land in the contemporary times. It is, however, debatable as to whether and to what extent the communities receive such protection in view of

[29]Ibid. James Ananya. 1996

the rapid urbanization and industrialization, particularly in the neo-liberal phase post 1990s. The use of the expression 'tribe' here, hence, does not entail restoration of their indigenous holding over land and property, which they enjoyed in the past, while the indigenous movement in some parts of the world addresses the notion of 'justice' in terms of property holdings.

The Lepcha community is constitutionally a tribe. Nevertheless, the community simultaneously claims that they are the 'indigenous' community of Sikkim and the Darjeeling hills. One has to go back to history to understand the significance of this claim. The following sections will try to explore how the indigenous status of this community had been questioned and threatened over time due to which they encountered ethnic trauma, displacement, denial and exclusion in the past few centuries till date. The Lepchas are popularly described as a 'primitive' community in the eastern Himalayas.

Moreover, the people within and outside the community frequently use the term 'indigenous' – intertwined with 'primitive' to define the Lepchas. Etymologically and by historic connotations, the term 'primitive' like 'indigenous' refers to primordial ties of a given community, other than the nomads, with their habitat and surrounding; the Lepcha community is no exception to this pattern. This community was also subjected to conquests, colonization and finally majoritarian exclusion. It is evident, from the sparse historical evidence, scanty references but abundantly clear from the memorized accounts of the people that *Mayel Lyang* was the early habitat of the Lepcha community in the eastern Himalayas. The land is now associated with history, legend, myth and 'indigeneity'.

The earliest hint of trouble, in their paradise, was in 1642 when Tibetan invaders treacherously took over Sikkim (in which present day Darjeeling was also included) in the guise of allies. The Lepcha community lost their direct political and military control over the land.

2.6. Changes post-1960 and its Impact in the Dzongu

When reviewing the history of Sikkim, it quickly becomes evident that many religious, political, economic and demographic changes have taken place in the area inhabited by the Lepcha. The former Buddhist kingdom of Sikkim is now a part of India, the world's largest democracy. This status resulted in the introduction of a completely new political and administrative system to Sikkim. Nowadays, roads connect nearly every inhabited corner of the state; the earliest of the motorable roads in Dzongu connected Mangan with the rest of the world and this happened in 1979. In 1986, remote Dzongu got its first ever direct Sikkim Nationalised Transport Bus (SNT) bus service from Gangtok. Most houses are now connected with electricity and thus enable access to national and international radio and TV beaming into the rural houses.

Further infrastructural and developmental programs are being implemented. The Sikkimese people are leaving their mountain state for other places in India and the world, whereas people from other parts are searching for a place to live and work in this lush and fertile region. Even the remote Lepcha villages in Dzongu are connected to a global economic market, mainly because of their cardamom cash crop.

Since the changes that have been occurring in Sikkim are diverse and far-reaching, the factors that constitute the core elements of the Lepcha identity and culture too are beginning to vanish and this is cause for a complexity of its kind. Sikkim, after being a part of India, has witnessed intensive investments in its development, especially in the field of education, due partly to the vast economic changes and the requirement of educated people to be engaged in the administrative jobs under the State government. Education is perceived with mixed feelings and is even a cause for concern. Most Lepchas of Dzongu villages would agree that education is one of the most important requirements to survive in the modern Sikkimese society. Moreover, it is essential to attain a certain level of education. In line with this, the central concern in the Lepcha village communities is the question as how to provide the best education possible for their children.[30]

Holistically, after 1970, Dzongu is slowly on the path of change. At the same time, the changes introduced due to education are feared about and criticized in many villages. The children are sent to schools not only in

[30] Many constraints to education can be identified in the Dzongu village community. The first major influence is the education background of the parents. Some parents do not attach ay importance to education or consider it incompatible with daily life. If the parents themselves have an education, the encouragement is much greater and other possible constraints and difficulties providing education for the children are more easily accepted. Low socio-economic background of the households is the second major constraint. Elder siblings are often kept at home to look after younger children so thar the parents can go to work. higher education is not available close to the village of Dzongu however presently one senor secondary school set up in Hee-Gyathang within Dzongu, otherwise for class X and XII is available in Mangan outside the Dzongu village, but for the higher education have to go to Gangtok. Boarding, schooling, and other necessities have to pay for. The socio-economic conditions of the families have to allow for extra amount of money that has to be invested in the child and the lack of labour force or assistance in the house. Dzongu Lepcha children do not work in the fields. Nevertheless, they help with odd jobs in the house and collect grass and food for the animals. In the past, there was more wealth in the almost all village of Dzongu because money comes from the cardamom fields. This enabled young adults to go and study in Gangtok or even further away

relatively nearby places such as Mangan or Hee-Gyathang, but also to schools that are further away in urban areas such as Gangtok.

The Lepcha community of Dzongu views the sending of children away from the village, for the purposes of education, in an ambivalent way. Some consider it an important advantage for the Lepcha community to be able to send their children to schools elsewhere because, this in there view, is the only way for village children to receive higher education and become involved in spheres that are also important for village life. Those children can benefit the village community by obtaining jobs in government service. However, with employment possibilities in rural areas in general and Dzongu in particular being far and few in terms of the numbers, most of those sent out for such education are forced to settle down in Mangan and Gangtok. The villagers are also concerned that many of these children who spend most of their life in hostels in semi-urban or urban areas, away from their families and communities, do not grow up in a Lepcha environment and do not learn Lepcha traditions and lifestyle as part of their daily routine. In those cases, the Lepcha language is not spoken often anymore, oral traditions are no longer heard, and there is no opportunity for children who study and live elsewhere to learn the traditional daily agriculture customs.

During the early 20th century, the Dzongu scenario was different; the people, really docile, timid and were fully dependent on forests; there were no schools, no hospitals and no road connection; they lived in isolation.[31] The villagers see the children who move out of the village as prone to losing

[31] Gorer, Geoffery. *The Lepcha of Sikkim* First published under the title 'Himalayan Village: An Account of the Lepchas of Sikim'. Delhi (India): Cultural Publishing House 18-D, Kamla Nagar, Delhi (India), reprinted, 1987. Print.

themselves and their interest in the Lepcha culture and heritage. The children will return home for vacations and help with numerous tasks, but they will not have the same routine as village children and will bring different ideas and interests. The main worry of the Lepchas of Dzongu villages is that the essential elements of Lepcha culture will slowly be eroded, because young people are no longer interested in keeping the Lepcha culture alive.

As for example, the youth have become skeptical about aspects of traditional beliefs such as evil spirits and their impact on human health. They are drawn to modern medical explanations of illnesses and have to find their own way to deal with contradictions between traditional beliefs and modern medicine. The lack of interest among the young and the more educated generation is perceived to be the main reason for the vanishing of the Lepcha culture.[32]

2.7. Dzongu: Transformation of a Traditional Society into a Modern Political System

Sikkim started its life as a political unit in 1642 AD with the start of the reign of Phuntsog Namgyal, the first Chogyal of Sikkim. After him, his dynasty ruled over it. This dynastic era, of twelve Chogyals, came to an end, after 333 years, in 1974 and Palden Thandup Namgyal was its last ruler. The formal declaration of Sikkim as part of a Democratic Republic came in 1975.[33] It must, however, be stressed here that the tiny kingdom too could not escape the 20th century whirlwind trend of freedom struggles in South East Asia. This churning

[32] Lepcha, Athup. Former Minister Govt. of Sikkim and President ACT, interview, 16 September 2016.

[33] *Gazetteer of Sikkim*. Home Department Government of Sikkim, Gangtok, edition: 2013, p.94, ISBN: 978-81-940437-1-5

of a freedom struggle taking shape all around Sikkim's borders -- China in the north and India in the South – did impact society in the kingdom of Sikkim too during the late Nineteenth and early Twentieth Centuries. While China established herself as a communist country, India settled down with a democratic republican Constitution immediately after the World War II. These two major political changes affected this kingdom too. This trend aroused political consciousness in Sikkim too.

The political system prevalent in Sikkim was not conducive to the formation of any organized political party until 1947; the authoritarian rule of the hereditary monarch, under the British superintendence, meant no space for a political party to emerge in the democratic sense of the term. A feudal economic and social structure, lack of political consciousness, widespread illiteracy, want of an articulate leadership, economic dependence of the vast majority of the people upon the economically dominant class who were the beneficiaries of the feudal system were the markers of Sikkimese society during the time India won her independence and China emerged into a communist nation. The introduction of the electoral system, in 1953, obligated the Chogyal and his advisers to begin the process of defining Sikkimese citizenship for the first time. It would take eight years and several drafts before a 'Sikkim subject regulation' was produced and on terms that were mutually agreeable to the palace and the main political parties.[34]

[34] It must be stressed here that unlike in most parts of the world where democracy emerged on the ruins of Monarchy (England being an exception in some ways), the development in Sikkim, at least until 1975 was by way of a compromise between the two systems and hence fraught with all its infirmities.

Once a person's name made to the register of Sikkim subjects, the person was regarded as Sikkimese[35] and guaranteed legal rights, including the right to vote. Although there was an intense debate over many elements in the draft, particularly those considered hostile by the Nepali speaking Sikkimese, a compromise was reached and eventually the regulation was deemed acceptable; this, however, led Sikkim to the crossroads. A generation has passed since 1975, the year when the kingdom was incorporated into the Indian union; the proportion of the Sikkimese society who remembers the state as a kingdom in proportion to the small state's population has dwindled now. Its population, in the meanwhile, has increased at an accelerated rate, much of the growth-taking place due to migration from other Indian states.

The trend, in this regard, poses before the polity a prospect where the the Nepali Sikkimese, who constitute the majority of the population, face the possibility of becoming a minority in their own state in the 21st Century.[36] This, indeed, is rising as a spectre; it is indeed a spectre and may not be real as such but does impact the discourse in Sikkim as all spectres do. And this is causing a certain assertion of an identity politics -- one that affirms yet transcends the ethnic and cultural plurality that has both handicapped and enriched the former kingdom. In the quest for Sikkimese national identity, taking shape in the 1960s

[35]The Sikkim subject regulation, July 3 1961, p.7. The three categories defined by the regulation were. 1) Persons living in Sikkim since 1946; 2) person not domiciled in Sikkim but Lepcha, Bhutia and Tsong origin whose father or grandfather was born in Sikkim; 3) person not domiciled in Sikkim but whose ancestral were deemed to be sikkimese subjects before 1850.
[36]Article 371F of the Indian constitution (1975) give parliament the power to reserved seats in the Sikkim state legislative assembly for various communities in order to protect their rights and interests. In 1975 fifteen seats were reserved for Nepali sikkimese and fifteen for Bhutia-Lepcha. In 1979 the Bhutia-Lepcha seats were reduced to twelve, with the definition of "Bhutia" enlarged to include other groups of Tibetan descent. The Neplali sikkkimese seat were eliminated, this making is likely that, with the mostly unchecked influence of outsiders to the state, their interest too will soon be submerged.

and 1970s, there is no simple way to reconcile the conflicting requirements of a multi-ethnic society.

Furthermore, it remains to be seen if the preservation and reinvention of Sikkimese identity is even a priority in the state; however, in the north Sikkim in general and Dzongu in particular, some educated Lepchas have become more aware of their vanishing culture and attempt to boost Lepcha identity is now a cental agenda across the region. A good number of ethnic associations have emerged with their headquarters in the urban capital of Gangtok. Many of the executive members of these associations belong to the educated strata.

In this way, the Lepcha associations help to bridge the gap between the mainly rural Lepcha of Dzongu and other parts of the north district and decision makers of Sikkim and central; these have turned into channels to represent the Dzongu Lepcha and their cause to the outside world. The most active of these associations from Dzongu is the *Mutanchi Lom Aal Shezum* (MLAS, the only Lepcha Association in Dzongu).

Due to the blowing of such winds of the freedom struggle in this region in 1947-1948, political consciousness emerged among the people of Sikkim. Consequently, three political organizations came into existence: The Sikkim State Congress (in1947), the Sikkim National Party (in1948) and the Raja Praja Sammelan (in1948).[37] This was the larger context in the political domain; however, a look into the first election in 1953 reveals that the Darbar cherished the idea that the government should be carried on equally by two major groups -- the Bhutia –Lepcha and the Nepali respectively -- and the first elected

[37]Sengupta, N. State Government and Politics in Sikkim. 1985

legislature came into being putting in place a new chapter in the constitutional history of Sikkim politics. For the elections, Sikkim was divided into four territorial constituencies to elect the twelve representatives.

The Gangtok constituency comprised all areas in the eastern Tahshil to the east of a line from the Rangpo to Mangan to elect three representatives among whom two would be Bhutias –Lepcha and one Nepali representative. The North central constituency was composed of all areas in the east Tahshil other than those included in the Gangtok constituency to elect three representatives; two Bhutia-Lepcha and one Nepali representative. The Namchi constituency was composed of the area in the western Tahshil to the west of the river Tista to the east of the river Rangit, to elect three representatives of whom two would be Nepali representatives and a lone Bhutia-Lepcha representative. The Pemayangtse constituency was composed of all areas in the western Tahshil, other than those included in the Namchi constituency, to elect three representative of whom two would be Nepali and one Bhutia-Lepcha representative.[38]

From the North Central Constituency, eight candidates contested in the first ever election; among them, Atang Lepcha was one and he was the first ever political candidate from Dzongu. Though he secured the second highest number of votes polled[39] among the eight contestants, he was not declared elected simply because Martam Topden secured more Bhutia-Lepcha votes than him.

[38] Bhadra, Madhumita. Sikkim Democracy and Social Change, 1992. ISBN: 81-8519545-5

[39] Atang Lepcha secured Nepali vote-2088, Bhutia-Lepcha vote- 425, other vote-74, and total 2588. Whereas Martam Topden- Nepali vote-294, Bhutia-Lepcha vote-613, other vote-13, total 920. Record Sikkim Darbar Gazettee Vol-VIII, No.7, Gangtok, December, 1958

Because of the peculiar system of election and counting of votes,[40] the number of votes clearly show that Atang Lepcha, who stood against the Darbar ended up tagged as a terrorist and was taken into custody several times.

Since 1953, with the first election, the tribal or the indigenous peoples' representative from Dzongu came to be suppressed and subjugated. With a special type of election, a people's elected government started functioning in 1953. A similar election procedure was adopted in 1958, 1967, 1970 and 1973. However, through these general elections political consciousness marched forward to secure a new political set-up in Sikkim.

The development of this political consciousness could not be stopped, and finally the elected representatives requested the India government to merge Sikkim with India for a new political set-up of the state. In a quick pace of events, witnessing several sharp turns, Sikkim transformed from being India's 'protectorate' into an Associate State of India (an anomaly in the Constitutional sense) and finally a full fledged state of India in May 1975.[41] This development in the state brought to an end the Chogyal's rule and ushered in a government of the elected representatives of the people.

This political set-up started with the appointment of Kazi Lendup Dorjee as Chief Minister and Mr. B.B. Lal, ICS as Governor of the state. In this way the rule of the Namgyal dynasty which had ruled the state for 333 years, came to an end. Sikkim, after being an Associate State of India, a status that was indeed an anomaly, became the country's 22nd state on May 16, 1975. It has a

[40] Sikkim Darbar Gazettee Vol-VIII, No.7, Gangtok, December, 1958
[41] Rao, Raghunadha. P. *Sikkim the Story of its Integration with India*, Cosmo publications 24B, Ansari Road Daryaganj, New Delhi. 1978

32-Member Assembly and a provision for one Lok Sabha and one Rajya Sabha seat for its representation in Parliament.

During the brief while when Kazi Lendup Dorjee steered the government, Dzongu was represented by Loden Gyatso Lepcha. He was the representative leader of the Dzongu after Atang Lepcha's exclusion in 1953. With this, remote Dzongu got some hope of holistic development. As the 22nd state of India, Sikkim went through two general elections in 1977 and 1979 when the very same people who had rallied behind the Kazi also voted him out. Kazi Lhendup Dorjee headed the first ministry, while the second Chief Minister of the state was Nar Bahadur Bhandari (between 1979 and 1994); Mr. Athup Lepcha found a place, as representative from the reserve Dzongu constituency, in the Bhandari government; Athup Lepcha a law graduate remained active during the early years of Bhandari's regime. It was in this phase, specifically in 1984, that the Sikkim state assembly took up the issue of the status of the tribals and the idea of Sikkim as a tribal state and the Sikkim Subject issue.

Athup Lepcha, despite being a minister in Bhandari's cabinet, along with two others, opposed the idea and even accused the Chief Minister of corruption. In response, Chief Minister Bhandari took a drastic step by throwing out three of his own ministers; Mr. Athup Lepcha, Samten Tshering and Rimpochi were dropped from the cabinet on the charge of indulging in anti people activity.[42]

[42] Bhadra, Madhumita. *Sikkim Democracy and Social Change*, Calcutta (india): T.K Mukhurjee, Minerva Association (publication) Pvt. Ltd. 7.B Lake Calcutta 700029. 1992 p.118, ISBN: 81-85195-45-5

This indeed had an implication too; as being an instance of social and political exclusion in the history of Sikkim politics when a group of people had been so consistently denied the opportunity to exercise one of their most basic and universally recognized fundamental right, that is, the right to self-determination. When a minority's desire or aspiration was expressed before the majority, they instead found themselves subjugated or excluded.

In a study of this kind on the development of a political process is the focus, it also implies that the effect of rapid social and economic changes on the political arrangements of the society and the role played by the political institutions and forces in affecting the course of developmental change is also taken up. Though the area chosen for the study may be a region, extending over several states, an area within a state, the study of political development is usually associated with newly independent states that were, until recently colonies of western powers, so the processes of decolonization and achievement of political independence are especially relevant.[43]

Among the more specific question concerning politics that may be dealt with in the study of developmental changes are the effects of economic and social change on the method and levels of the elites and styles of leadership in developing nations; the search for equality in the social and the political relationship. However, the British withdrawal from India provided the path of freedom in the entire region of South Asia. The renaissance on the political horizon of the South Asia affected Sikkim also by arousing freedom consciousness among the people of the state. They formed political parties for

[43]Dankwart. A. Rostow, Politics of the Development area. P.3

their political objectives. Gradually these activities developed and the dissatisfaction against the Chogyal culminated in a climax during 1975 when the elected representatives of the state expressed their full faith in the complete integration of Sikkim with India.

The changes in the Dzongu Lepcha community over the past centuries have left their traces on Lepcha culture. Buddhism and more recently the Christian religion introduced new values and beliefs, shaking the very foundations of the Lepcha community. Modern education is needed, but at the same time feared, because it brings new ideas and values and forces people to leave the villages in search of higher education and employment, thereby causing a loss of access to traditional local culture and with this a loss of a sense of belonging.

The spatial closeness to the Nepalese community is feared to impact Lepcha culture; and intercommunity marriages are changing family life. In Sikkim, Nepali has already become a commonly spoken language and there is concern that the coming Lepcha generation will not learn their mother tongue properly. Despite the Dzongu Lepcha community fear that their culture is vanishing, a creative potential for dealing with changes and for sustaining their own lifestyle, so they believe that education contributes as the main force behind the movement of Lepcha cultural revival, as it is mainly the educated Lepchas who are active in the promotion of Dzongu Lepcha culture. A supportive legal framework helps to enable people to keep to their own culture and lifestyle.

In Sikkim, especially for the Dzongu, there are laws to protect the right of the Dzongu Lepcha community and help maintain their culture.

Political history speaks of a time during the thirteenth century when a 'Blood Treaty' was signed between Lepcha chieftain and Tibetan chieftain paving the way for the first foreign dominance over the region. Since then, the Bhutanese control over the Kalimpong Lepchas during the eighteenth century and the gifting of Darjeeling to the English East India Company, during the early nineteenth century, only points to a series of dissection and division of the Lepcha land. The British developed the tea industry, bringing Nepalese laborers and settlers, exploiting the untouched land and bountiful forests to their advantage. In these developments, the original inhabitants of the region had not only accommodated outsiders into their land but had complacently adjusted their lifestyle to the likes of the Tibetans, Bhutanese and Nepalese influences. Cultural contact and the need to interact with the neighboring communities eventually faded the cultural boundaries too. The Lepcha identity and its distinctiveness gradually diluted in the plethora of cultures thriving in Dzongu valley. The Lepchas, used to hunting previously, no longer practice it; in the absence of the hunt, they continue to respect and keep on with offerings to the hunting deity.

In the context of the current Lepcha issue in Dzongu or in Sikkim, what is rarely taken into account, while discussing the problem with the preceding definition, is that by requiring 'historical continuity with pre-invasion and pre-colonial societies that developed on their territories', it takes a rather limited view of the 'indigenous peoples'. It is also controversial because several

governments in Asia, including that in India, use this requirement to deny the existence of indigenous people within their border.

Finally, by way of concluding the arguments put forth in this chapter, it must be held that the issue of development in general and the hydel-projects in particular ought to be studied in the complex nature of te society that north Sikkim has turned into over the years and so will have to be the case with studying the anti-Dam movement. These will be done in the next chapter III, where we will discuss the different perceptions of the Sikkim's development in a large and Dzongu is in particular. What concepts such as 'development,' 'progress,' and 'moernity' actually mean to different stakeholders and also discuss the some background information about Sikkim Hydel mission particularly the Teesta stage IV and Panan power project and development of tribal discourse will clearly discuss in the chapter III.

Chapter 3

Developmental Project with Dzongu Folk

3.1 Introduction

Early British records about the hills of the north east are almost uniformly contemptuous of the ‘savage’, ‘barbarous’ and ‘primitive’ tribes, while the later ones are eloquent about their ‘differences’ between their and the neighbouring plains people. The change in this ‘perception’ if one may call so, occurred after the hills had been brought under effective control and had become the instrument of imperial policy.

The north east India, including Sikkim, lies in the cultural periphery of India and is a distinctive region in terms of its physiography, climate, topography, vegetation and social and cultural formations. Based on the physical features, the region embodies mountains, hills and plateaus. The sub-tropical location of the region gives rise to different kinds of flora and fauna. The monsoon showers almost all parts of the region. As the subsistence agriculture depends heavily on monsoons, we may call the monsoon dependent agriculture can as the backbone of the economy. Agriculture, though is the prime activity and major contributor to the economy of the north east states, is not highly mechanized as elsewhere

Further, the region is one of the most industrially backward regions. In the presence of several constraints it has not been able to contribute significantly to the domestic production. Meanwhile, the region shows tremendous multiplicity in terms of languages, caste, race, religion and ethnic groups and yet there are common

features, which is distinctive from the rest of the country. The tribal people dominated the hilly area while the non tribal people dominated the valleys. Most of the states of the north east India have high percentage of tribal population. However, one cannot compare them with the traditional stereotype found in the mainland.

The centripetal and the centrifugal forces have shaped the polity of the region historically. However, in the case of the north east India there has been a predominance of the former on the latter. The diverse ethnic origin of the people inhabiting this difficult and tortuous terrain naturally led to the growth of centrifugal forces, directly stemming from the various ways of living, different forms of worship and separate dialects. Over the years, there emerged a cultural community, which greatly contributed to the social cohesion. The eastern Himalayas and the river Teesta and the Bramaputra has great influence on the life of the people of the region. The legends, myths, folklores and the customs of the area are woven with those of the rest of India as they developed cross-culture communication.

What is culturally important about the region is a tremendous diversity of languages and dialects, estimated at around 400 odd in numbers. The linguistic origins could be traced to the Indo-Austric, Mankhmer, Indo-Tibetan, Tibeto-Burman and of course the Indo-Aryan group of languages. The linguistic diversity of the region is the root of the ethnic diversity. The ethnic diversity could be charted out in roughly 120 Schedule Tribes in the region, with each of these tribes constituting into several sub-tribes, clans and bound often by kinship ties. The linguistic and ethnic diversity assumes an architectonic form as one can trace a continuum from clan to tribe to ethnicity to nationality.

Such diversity has given rise to historical and political forces that mutually collaborate and contradict; and yet preserve the substratum of diversity in a holistic presence of the region. However, the bottom line of British administration's policy, in the context, was non-interference in the social modes of tribal life. This British policy amounted to an indirect rule whereby the British authorities acted as a mediating agency and established a kind of regulative authority over the hill tribes of North East India.

This policy of non-interference resulted into a two- fold political process. On the one hand, it allowed the freedom of conducting the affairs of tribal life to the tribes themselves while on the other; it imposed a kind of strict neutrality on the part of the British state. Such a mix between autonomy to the tribals and neutrality of the British state avoided the scope for confrontation and it prevented the influence of the 'mainstream' political currents on the hill tribes.

However, such a policy was not complemented with adequate support of capability building in the region. Rather, the policy of pursuing development through political concessions and funding from the centre have drawn the region into the fold of nation building process that sharpened the difference and unevenness between levels of progress as obtained at the national and the regional plans.

If one looks into environmental niches that traditionally sustained the livelihood practices of the various tribes of the region, one would encounter a conflict between nature and culture. While ethnographers and anthropologists have emphasized on preservation of ethnic and natural styles of living, the politicians and planners have asked for larger public investments. There were clear divergence of goals, whether to pursue the path of model institutional development or strengthen the

resource base of the communities; this became an either or question. As the choice of development was not left to the people themselves but was delivered by the statist agencies it has led to an absence of well- defined goals of development. Those, in turn, are somehow scuttled and continued by various exogenous forces. As the resource base of the region is gradually weaned away, it has produced a displacement of communities from their life world, while introduction of various other ways of life could not involve a sustainable process of balanced growth.

3.2 Discourse in Tribal Area Developmental

After India's independence, a secular constitution was adopted to govern the country with several constitutional provisions in it for the tribal development. Many development schemes were formulated and implemented. Attempts were made to make the Scheduled Tribes to develop, socially, educationally, economically, politically and culturally.

The Constitution refers to the tribal people as the Scheduled Tribes. The constitution, adopted on November 26, 1949 and enacted on January 26, 1950, is based on the principle of equality and guarantees equality before the law and equal protection to all its citizens. It not only guarantees fundamental rights and freedom, but also prohibits discrimination on the basis of religion, race, caste, sex and place of birth.[1]

Recognizing the special needs of the various weaker sections, including the Scheduled Tribes, the constitution also enjoins upon the state to make special provisions of affirmative actions and positive discrimination for the advancement of

[1] See Article 14 of the Constitution of India.

any Socialy and Educationally Backward Classes (SEBCs).[2] These constitutional provisions, thus, were a definite break from the British colonial policy of isolation and non-interference with a policy of inclusion and integration through development. The framers of the Constitution of India incorporated several provisions for Scheduled Tribes in addition to those referred to above.

To develop an argument based on a comprehensive understanding about the tribal development in India, we need to understand these negative and positive experiences which will provide a comprehensive view of the development process. Hence, we start with a focussed analysis of the Nehruv*ian* and Elwin*ian* approaches in the context of tribal development in India in this chapter.

The tribal development project in India, embedded into the idea of a democratic state at the centre, was founded on the imperative or a conviction to hold a commitment to the principle that one group of people cannot be left to remain outside the mainstream society. After independence, planned development started and broadly three different approaches were studied as options. These were:

i. Isolationist,
ii. Assimilationist and
iii. Integrationist[3]

The first approach was a legacy of the British colonial regime, and is usually described as "leave them untouched"; the policy was to isolate the tribal population

[2] See Articles 15, 16 and 340 of the Constitution of India.
[3]Dr. M. Kunhaman, "Tribal Development in India. Retrospect and prospect", budgeting for whom, update quarterly No. 1, April-June 1997

from the masses. The British took deliberate efforts not to develop communication in the tribal areas. The tribals were kept away from the rest of the population.

Verrier Elwin supported the establishment of a sort of ‘national part’ ‘specimen in a human of the tribals and advised that their contact with the outside world should be reduced to the minimum. But this approach was not followed for long.

The ‘Asssimilationist’ approach is the approach which paved the way for the tribal people to mingle with the neighbouring non-tribals. In India, the process of assimilation took place in different forms in different parts of the country, resulting in the gradual acceptance of Hindu culture by the tribals. The main criticism against the approach was that this tried to change the tribals by imposing the non-tribal customs and traditions on their lives and soceity.The advocates of this view supported a direct assimilation without waiting for a slow and long drawn change over the approach and this is also considered to be a failure.

The previous experience of the policies of isolation and assimilation, forced the planners to take the middle way between the two, which is called the integrationist approach. This approach was mainly the idea of Jawaharlal Nehru. The policy of integration consists of two types of measures for tribal development; protective and promotional measures.

The trend of national development was more pronounced in Nehru’s approach whereas Elwin’s concern was confined to the welfare of the tribes, a segment of the nation. In other words, Nehru modelled his approach on the lines of the western paradigm that unequivocally proposed uniform application of a model for the

development of all section of people irrespective of gender, caste, tribe or religious background. The area of his vision of development were wider and more diverse and located in the objective of fostering human dignity, world peace, democracy, planning and development, socialism, secularism, Indian nationhood, science and technology to overall change, through consent and non violence. In the specific context of tribes, he recognized the importance of education, health and stable subsistence as the important means for their development.

Regarding the tribal development, Nehru said,

> I have no doubt that development and changed so called progress will come to them, because it is becoming increasingly difficult for any people to live their isolated life cut off from the rest of the world but let this development and change be natural and be in nature of self development will all the help one can give in the process.[4]

The Nehruvian approach, however was fraught with the infirmity in that it could not retain consistency between ideology and practice. Nehru subscribed, in principle, to the commitment of not interfering and not uprooting the tribes while setting up new development programmes but in practice almost all the large scale industries and big dams planned during his life-time was established in tribal areas causing massive displacement. Nehru may have been right in introducing such development programmes from the larger perspective of national development but he was equally wrong for not devising an acceptable mechanism to confirm tribal participation in that development process.

[4]Jawaharlal Nehru centenary volume 1989. Nehru's tribal philosophy

3.2.1 The Specifics of the Tribal Scenario of Sikkim

Sikkim is a multi-ethnic state comprising of more than 20 different groups, most predominant among them being the Nepalis, the Lepchas and the Bhutias according to the census of 2011. The two important communities notified as Scheduled Tribes in Sikkim, by an order in 1978 (after the region/kingdom became part of the Indian Union) are the Lepchas and the Bhutias. The Bhutia, among them include the Chumbipa, Dapthapa, Dukpa, Kagatey, Sherpa, Tibetan, Tromopa and Yolmo.

Recently two major communities' viz., Limbooand Tamang were included in the list of Scheduled Tribes but they are yet to be benefitted from their tribal status and consider as second class Scheduled Tribes. The District wise Scheduled Tribes population is shown in the following table (Table 3.1). It is evident from here that out of the total population of 6, 10,577, a little more than a tirrd, 2, 06,360 happen to be the Scheduled Tribes. In other words, 33.79% belong to the Scheduled Tribes category. Meanwhile, when we disaggregate the data districtwise, we see the Scheduled Tribes constituting as much as 65.69 per cent in the North District and 42 per cent in the West District.

Table 3.1

Districtwise Population Data with Proportion of ST Population in Sikkim as in 2011

District	Area (in sq.km)	Population	STs. Population	In percentage	Total State population	State total STs. population	In percentage
North	4226	43709	28715	65.69	6,10,577	2,06,360	33.79
West	1166	136435	57817	42.37			
South	750	146850	41392	28.18			
East	954	283583	78436	27.65			

Source: Census of India 2011 Sikkim, Series-12, Part XII-B, District Census Handbook

While interpreting the data in the table above, we notice a large concentration of the Scheduled Tribe population in the North district and here the tribals constitute a predominant majority indeed. This indeed provides the context for the restrictions imposed by order No. 3069/O.S of March 24, 1958 and it says:

> It is hereby ordered that any outsides, (non-indigenous) settling and /or carrying on any occupation in the prescribed areas without a permit issued by the Sikkim Darbar shall be liable to imprisonment upto three years and /or fine up to Rs. 1,000 in default imprisonment of to six months.[5]

[5]Sikkim darbar gazettee VOl-VIII, No.7, Gangtok, December 1958

This proclamation and the notification continues to offer protection to the indigenous people of North Sikkim and have been accorded Constitutional status too vide Article 371(F) of the Constitution, an insertion into the Constitution after Sikkim was made part of the Indian Union and is based on the 8th May 1975 Agreement.

3.3 Tribal Development Programmes in Sikkim

Among the tribal population in Sikkim, which is large by any standards, the Lepchas and the Bhutias constitute the two large tribal communities. At present, the state has 89 Revenue Blocks where the STs constitute the majority. Both the Central and the State governments have launched several developmental programmes for the welfare and empowerment of the weaker sections of society including the Scheduled Tribes. In Sikkim, as it is elsewhere, these comprise schemes for educational development, economic development and social development; and the Department of Social Justice, Empowerment and Welfare is a nodal agency which looks after the affairs of tribals in Sikkim; the department is vested with powers and responsibilities in a variety of areas such as:

- All matters connected with the welfare of STs, economic betterment schemes, educational development schemes, facilities for vocational training and voluntary organisation connected with the welfare of STs.
- Pre-matric scholarship schemes for STs/SC/OBC, post matric scholarship schemes for ST/SC, up-gradation of merit scholarship for ST/SC student,

tribal sub-plan for STs, ST,SC and OBC welfare boards, monitoring and evaluation of schemes for STs, and

- Implementation of ST (Prevention of Atrocities) Act, 1989.

Yet another programme, launched by the central government and implemented in all states where the tribal population exceeds 50 per cent of the local population – ITDAP -- is implemented in the various blocks of the three districts and in the whole of the north district. An anomaly was noticed in this wherein more than 55 percent of the tribal population was found to be residing outside the ITDAP area in Sikkim. With a view to cover more tribal population and correct the anomaly, the state government proposed to include another 54 revenue blocks in which the tribals constitute more than 30 per cent of the population; the welfare officer of each district acts as the drawing and disbursing office for the implementation of the programmes.

Meanwhile, thanks to the State Government giving effect to the Land Revenue Order No 1 in Sikkim, by which alienation of land belonging to the Lepchas and the Bhutias to non-tribals is prohibited (as is the constitutional norm in the areas under the Fifth Schedule of the Constitution), there has been protection of their rights in a substantive sense all along.

Alongside these, the interests of the Tribal people has also been preserved by way of the substantial reservation of seats for the Bhutias and the Lepchas (as much as 50 per cent) in the Sikkim Legislative Assembly too and this measure protected by Article 371 (f) of the Constitution. The same is true with a provision of reservation in public employment. The state government extended the new policy under Notification No. 5/GoS/ (15)/SWD/WD dated 19.08.2003

and thus reserved 33 per cent of seat for Scheduled Tribes in all government jobs and in professional courses. Besides, five years relaxation in age is given to candidates belonging to the Scheduled Tribes. As a result of this policy, the participation of Scheduled Tribes in public employment is somewhat equal in substantial terms with the non-tribals.

Apart from these, the state government of Sikkim also created a Development Corporation (SABCCO) for the development of Scheduled Tribes, Scheduled Castes and the Other Backward Classes; the focus of SABCCO is on special development and financial assistance at concessional rates of interest for income generating activities and training in skill development like:

i. Agriculture allied activities
ii. Handicrafts and weaving etc.
iii. Self employment loan
iv. Small business
v. Transport service loan e.g. jeeps, Tata trucks etc.

Such developmental schemes cover all the tribal dominated villages of the four districts and their adjoining areas where 50 per cent of the population is tribal. The implementation of all these developmental schemes under the state plan is executed through the project director and welfare officer in the district.

Particularly Vulnerable Tribal Groups (PVTGs), earlier known as Primitive Tribal Groups (PTGs), by the Scheduled Caste and Scheduled Tribes Commission (1962), popularly known as the U.N.Dhebar commission, classified the Scheduled Tribes in India into four different groups:

i. Those that are living in the remotest corners and for that reason are almost in a primitive stage.

ii. Those in the 'jhuming' (shifting) cultivation stage

iii. Those who have taken to regular agriculture, and

iv. Those who have been already assimilated. [6]

All these tribal groups are at different stages of socio-economic development, starting from the stage of food gatherer to settled agriculture. However, some of the tribal groups who are at food gathering, hunting and fishing stages are facing multifarious problem in modern times in their own habitats. These tribes are small in groups and some are on the verge of extinction. Some of these small tribal groups in the country have been categorised as Particular Vulnerable Tribal Groups for special development assistance. The Government of India, based on a four point criteria, viz.,

i. Smallness in size and diminishing in number

ii. Backwardness and isolation

iii. Pre-agriculture technology and

iv. Very low literacy

Has identified 75 tribal communities as PVTGs given the marked difference between the relatively advanced tribal groups and the primitive tribal groups. The latter live in more interior pockets which are generally inaccessible and the declining sources of sustenance have left them more vulnerable to food insecurity, malnutrition and ill-health. The cultural gap between the primitive tribal groups and non tribal societies is wide. The socio economic conditions of

[6]Dhebar, U.N. Report of the scheduled caste and scheduled tribes commission, (Delhi, government of India press 1962)

PVTGs are much worse than other tribal groups. Outstanding examples in this context are the Bay Islanders like the Shompens, Jarawas, Sentineless of Andaman and Nicobar Islands. Even some of the mainland groups which can be cited in this context include the Bondos of Orissa, Cholanaickans of Kerala, the Abujhamaria of Chattisgarh, and the Birhors of Jharkhand.

In Sikkim, the state government has recognised the Lepchas as the primitive tribal group but the Government of India has yet to recognise them as PVTGs.

The Scheduled Tribes, like the Scheduled Castes, are the most socially and educationally disadvantaged and excluded groups in our country. The wide-spread discrimination against them has long histories in India. Studies have revealed that the status of this community in the state of Sikkim is not exactly the same as is with tribals elsewhere. In Sikkim, the tribal people are very affluent, highly educated and are represented fairly well in government jobs, and some important posts like Director, Secretary, etc. in the various departments.

There is a not much sign of the poverty, illiteracy and backwardness among the tribal people of state which is otherwise a main feature of tribal communities in other parts of the country. Besides, they are not backward but more advanced and developed in comparison to the Scheduled Castes in the State. The educational progress of the Scheduled Tribe population is quite remarkable.

There is very little difference between the literacy rate of the general population and tribal population insofar as Sikkim is concerned. Many educated

tribals play an active role in the new political system. The tribes have been provided a space in the decision making bodies like the state legislature and local bodies, which is more than their proportion of the population. As for instance, 12 seats out of 32 are reserved for the tribals in State Legislative Assembly. Similarly, there is a reservation of seats for tribals in both rural and urban local bodies.

As a result, their presence is also strong, in the numerical sense, in local government institutions. Thus, the reservation provision ensured adequate representation of this community both in the state administration and local government bodies. Notwithstanding this high position, the statutory provision of reservation in jobs too has been implemented in the state.

The scheduled tribes in other part of the country are gradually losing access to their traditional lands, a process that is referred to as alienation; the largest form of alienation from the traditional land has taken place due to state acquisition of land for development. In Sikkim, however, old laws like the Revenue Order No. 1 and subsequent legislations have saved the Scheduled Tribes' land from being alienated. Tribals in the state cannot sell their land to non tribals even when they want to. The tribes in this Himalayan state enjoy the high social status and in some cases they are more advanced and developed than the general population which are in fact unique in whole of the country.

3.3.1 Impact of Developmental Project Work on Tribal People of Dzongu

Through a narrative of the society and economy in contemporary Sikkim, which has been done hitherto in this chapter, we now embark upon an

explanation as to how modernity in general and the development projects of large dimensions, particularly the mega hydel projects, have come to threaten the Lepcha reserve forests in the Dzongu in North Sikkim. And how the young Lepchas, who, when faced with the loss of their culture, are attracted back to the traditions of their elders. This section is drawn, mostly from the narrative of what they describe as violation of a sacred landscape[7]and starts with a 2006 meeting held in Gangtok that was a turning point for the Dzongu Lepchas' battle for their land, their culture and narrative.

A contemporary story has emerged of an imminent threat to the Lepchas' landscape that will be devastating to their language and culture: The construction of seven mega hydro electric projects in the Dzongu Lepcha Reserve in North Sikkim. The North district of Sikkim, where the Dzongu is located, is the largest among the four districts of Sikkim, is also the least populated and has an environment that is currently least disturbed by external agencies. The district covers 60 per cent of the total land area of the state but is home to less than 8 per cent of the state's population, The density of population in the district is only 10 persons per sq. Km. The dominant ethnic groups living in the district are the Lepchas and the Bhutias. The remoteness and the hostile landscape[8] of the North district not only checked indiscriminate flow of population into the region but also helped preserve the traditional mode of life of the indigenous ethnic group.[9]

[7]Letter from ACT (nd), which is sent to NGOs and interested parties P.4

[8] I assume chaudhury's description of the landscape as hostile applies to its inaccessibility and difficult to traverse terrain, rather than any relationship to the people of the Dzongu aho are peace loving and welcoming

[9]Maitreyeechoudhury, (nd) carrying capacity study of teesta basin in sikkim volume-X, socio-culture, environment commissioned by ministry of environment and forests, government of india, sponsored by national hydro electric power corporation ltd., Faridabad, chapter 2, pp.7-9.

Dzongu has traditionally been a Lepcha dominant region. Its steep ravines must have made it unappealing to the Bhutia community who were essentially herders and sought out pastures; its remoteness and harsh terrain made it unfavourable for agriculture which was the calling for the Nepalese community. The Limboos, recognised as the autochthons of Sikkim, alongside the Lepchas and the Bhutias, are concentrated more in the South and West Sikkim districts, leaving Dzongu free, through history, for the Lepchas. In the nineteenth century, the king of Sikkim gave the Dzongu tract in dowry to his wife and this ensured even more exclusivity for the region. Eventually, in 1958, the exclusive claim of Dzongu Lepchas on this land was formalised by the Royal Proclamation.[10]

In the North district of Sikkim, of which Dzongu is a part, data tells us [11] that the Lepchas constitute the single-largest community, comprising 37.47% (14,370) of the 38,352 strong population of the district. More than half of the Lepchas of North Sikkim reside in Dzongu.

3.3.2 Developmental Project Impact on the Grassroot

The Dzongu is known, in Lepcha tradition, as *Fukram Takram Lyang*, which means land of the dense forest gorge. It is where the largest tree is never cut down, the strongest deer is never hunted[12]and wild orchids sprout aimlessly from the top of trees, making pink and purple bursts in the sky.

[10]Sikkim Darbar Gazette, September 1958 part III
[11]State socio economic census 2006, conducted by the department of economics, statistics, monitoring & evaluation, government of Sikkim.
[12]I heard this on a few occasion from lepcha when they described ancient mayallyang (Dzongu) there is also a reference in the report titled documentation of the traditional ecology knowledge, capacity building need of traditional institutions for sustainable utilization of natural resources in Sikkim and Darjeeling hills, eastern Himalayas, wwf for india, final report, 2004, p.27 which state

They were once alone in *Mayal Lyang* (Old name of Present Sikkim) for so long; many people say they here there from the beginning of time. But then, about six or seven hundred years ago, strangers arrived. First, the Tibetans came and brought Buddhism and the idea of sovereignty with them; then the English arrived with commerce and Christianity; then the Nepalese flowed in to settle across the border to work in the tea gardens built by the English and the Indians or the plain people moved up to the mountains to escape the hot, dry plains.

Men from Britain and Europe started climbing the peaks, stepping on their mountain deity, Kanchunjunga, leaving the imprint of their climbing shoes and their conquest over her surface. And one day, the Lepchas came out of the forest and realised they were the smallest tribe in the land. In Mayal Lyang, the nature worshipping Lepchas include every leaf, blade of grass, all creatures and the rivers and lakes in their prayers. Each clan has its own 'chu', a Himalayan peak, and 'Da' a lake and offer their prayers and supplications to their respective 'chu'[13] and this was long before people from other nations rode the land that rests at the foothills of the East Indian Himalaya, where the Lepchas lived peacefully, their habitat protected from strangers who found the peaks that wove their way along the ridges of Mayal Lyang an impassable cloak of protection.

The fact is that in the various academic and journalist perceptions reflected in the books, journal and magazine etc., the view that the lepchas are innocent, nature loving, shy in nature, nature worshiper and live in a fragile remote area gathered currency and thus came to be considered as one of the

'lepcha is a nature worshipping community also known as Lingee, big tree across the species are traditionally not allowed to be cut down'.

[13]A staff reporter, Churumfaat, prayers and offering to the Himalayas, King Gayboachyok 2005, a Lepcha Blingual Magazine, Indigenous Lepcha Tribal Association. (2005): p.10

backwards in the socio-political, economic and educational terms. The image built was that they needed only the basic things.

However, looking into the North Sikkim as a whole geographically located as it is in remote area, obviously it looked underdeveloped and far away from the state's major city and also predominated by tribal community. This, however, was a notion developed by a discourse centred on the idea of the modern state. This notion, then, brought up the idea of 'development' and the number of hydro projects in the area by the state and private companies in the name of development; in other words the projects were shown as evidence of a commitment towards the development of this region and its people.

3.3.3 Employment for the Local

The hydro power projects are supposed to provide employment and the government has been bleating its trumpet about solving the crisis in employment generation in the region for its people as its panacea. But then, a deeper look at the MoU's signed by the State Government with the project promoters in this case raises a fundamental question as to who drafted these MoUs; were it the government or the companies? Leave out the non-affected families looking for jobs; the affected families are also duped into falling into the trap of employment generation. A clause from one such MoUs will perhaps make the things clear:

> The company shall provide employment to one member of each displaced families or adversely affected as a result of the acquisition of land for the

project and such employment shall cease immediately on completion of the construction of the project.[14]

What will the people do after the construction of the project? So the hundreds of affected people, with the hope of permanent employment, will end up with empty hands and no livelihood guarantee after the completion of the project while the companies will laugh all the way to the banks with their mammoth profits.

3.3.4 Revenue

So, without beating around the bush, let us go to the revenue aspect of this 'development' paradigm... The revenue from the projects which are not under joint venture (JV) with the government are only the 12 per cent free royalty at the rate of rupees 10,000 per maga watt. While this is being used to make tall claims about making Sikkim debt-free and every citizen rich, compare this rate with the other states like Himachal Pradesh and Arunachal Pradesh, where rates are above lakhs of rupees for every mega watt!

Now, when it came to the joint ventures, the scenario is even more ridiculous and pathetic. As per the MOUs of the projects under JVs, the government is to have an equity share of 26 per cent apart from receiving the 12 per cent royality. But the capital for the equity of the government is to be

[14] Provisions of this cluse of Agreement between Government of Sikkim and M/S Himagiri Hydro Energy Privated Limited under the companies Act, 1956. Article 4 obligations of the company, cluse 4.15; Recruitment of staff/labour and cluse 4.15.1.;it mention that, the company as well as its constractors shall ensure that a all the unskilled/skilled manpower other than executives as may be required for implemention of the project shall be recruited through Employment cell at Gangtok, sikkim. And cluse 4.15.2; provision given for the employment of the executives, the company shall give preference to the bonafide residents of sikkim and see cluse 4.16.Displaced Families.

arranged by the companies as loans, which will be paid back from the 12 per cent free royalty, at an approximate interest rate of 15 percent, after the project is commissioned and production starts, which basically means that the public will get very meager share or no return as long as the loans are paid back.[15]

The other high point is that the government and the companies, as per the MoUs, are to execute the equity shares within six months from the signing of the MoUs. Leave out six months, eleven years have passed since the signing of the MoUs but no such equity shares have been executed. The obvious question is whether the government is serious at all, since the government had not put in equity in the Teesta stage III 1200 MW project; the company almost took over the entire project making the government run to the court. In spite of the condition in the MoU that the company cannot transfer or sell the project without first informing the government, the project, in this instance, was sold to a Singapore based company without the prior knowledge of the government.

In addition to the above, even if the government has the 26 per cent share, it still is in minority in the board, with 74 per cent being that of the company shareholders. Which, in other words, means that the government has very little or no say in the decision making and other functioning of the company, while it has to shoulder equal responsibilities in case of any liabilities; such instances of carelessness or high-handedness is taken to a new heights when we look into the MoU pages of the *Dikchu* 96 MW project being developed by Sneha Kinetic Pvt. Ltd.

[15]According to the white paper on hydro project

Here is an instance where the cut and paste MoU culture has gone to such extent that they did not even bother to erase the name of the project from where the MoU was copied. Apart from the first and the last pages, the bottom right side of the *Dikchu* projects MoU says, Agreement Rangeet stage IV.

3.4 Land acquisition

Regarding land as well as law and order issues, which could arise out of acquisition and disputes, the state government and the company took ample advantage of the innocence and ignorance of the public of north district. The draconian Land Acquisition Act, 1894, with its urgency clause, was used blatantly like in no other state in the country, thereby giving no chance for objection by the landowners. It must be stressed here that the urgency clause in the 1894 Act was invoked so blatantly to acquire land for the private companies although this portion of the Act was repealed and amended as early as in 1984.

In the words of a prominent leader of the ACT,

> What was the urgency all about in the place? Were the Sikkimese people dying of hunger? In the time to come, will see a set of landless, jobless people created by this mad rush of hydro power development programme[16]

Yet another important aspect that was completely given a short shrift in these hydro-projects is the geological dimensions. The geological dimensions were not considered or only considered in passing in all these cases insofar as the Environmental Impact Assessment is concerned. Due to this, many

[16]Interview with DawaTshering Lepcha, former ACT General secretary on 13/07/2016, Gangtok

unforeseen geological related impacts are being experienced in the areas where projects are located. The scale of construction activities, unprecedented hitherto, in the fragile Eastern Himalayan mountains, involving tunneling and the uncontrolled and excessive use of dynamite have resulted in landslides, sinking of land which in turn have resulted in the drying up of water sources, causing drinking water problems, affecting agriculture and other sources of livelihood of the people, causing damages to people's properties and houses; reports of these are often seen in the newspapers.

Another impact which is not being taken seriously is the reservoir effect in the fragile hill and valleys. The two reservoirs at present -- the Rangeet 60 MW in West Sikkim and the Teesta V 510 MW -- have shown signs of what is in store in the medium and the long run. The closing and opening of the dam gates to allow flood materials, silts, etc., to flow away during monsoon and other times have resulted in the areas around the dams to sink and thereby causing landslides. The *Jong* village situated on the left side of the *Dikchu* reservoir, which is always in the local news for the wrong reasons, is one prime example.

Every monsoon, with flooding of the Teesta, news of sinking and slides are beginning to sound like normal over time. Just imagine the cumulative impact of all the reservoirs in the state starting from *Lachhen, Lachung,* Teesta I, Teesta II, Teesta III, Teesta IV, Teesta V, Teesta VI, *Panang, Dikchu, Rongnichu, Sada Mangder, Chujachen, Rangeet* I, *Rangeet* II, *Rangeet* III, *Rangeet* IV, *Jorethang-Loop, and Tashiding*. The fact is that Sikkim has the highest density of dams and yet there is no signs of rethinking

on this despite knowledge now available of dams induced earthquake; also the fact that cloud bursts are now a periodic phenomenon. The details of river and schemes are shown in table 3.2[17]and leaving almost no stretch of river free-flowing (see figure 3.3) will not only cause the the near drying up of much of the river flow but will also have important ecological consequences in this fragile biodiversity hotspot.

The entire venture, including damming of rivers and tunnelling of mountain slopes, is likely to cause considerable geological and ecological disturbance.

[17] Website of department of development of northeast region, http://northeast.nic.in/power.htm (Preliminary ranking study of hydro electric schemes Volume-IV Brahmaputra Basin, central electricity authority. October 2001, with updated information from CEA document listing of the preliminary Feasibility report (PFRs) under 50,000 MW Hydroelectric initiative) accessed on August 30, 2019

Table 3.2

Details of Hydel Projects across Sikkim and West Bengal

River basin	Name of scheme	River	Probable I.C MW	Status of project
Teesta/WB	Teesta high dam	Teesta	250.0	New
Teesta/WB	Ramam-III	Ramam	100.0	New
Teesta/Sikkim	Kalep	Teesta	41.0	New
Teesta/Sikkim	Talem*	Teesta	75.0	New
Teesta/Sikkim	Jedang	Lhonak	185.0	New
Teesta/Sikkim	Teesta storage*	Teesta	320.0	New
Teesta/Sikkim	Serum	Sebokug	50.0	New
Teesta/Sikkim	Lachung	Lachung	30.0	New
Teesta/Sikkim	Ringpi*	Ringpi	70.0	New
Teesta/Sikkim	Lingzya*	Ringpi	120.0	New
Teesta/Sikkim	Rukel*	Tolung	141.0	New
Teesta/Sikkim	Dikchu*	Dikchu	105.0	New
Teesta/Sikkim	Chota pathing	Rangpo	55.0	New
Teesta/Sikkim	Rongni storage*	Rangni	195.0	New

Teesta/Sikkim	Mana	G.Rangit	37.0	New
Teesta/Sikkim	Yoksom	Rathong	44.0	New
Teesta/Sikkim	Namlum	G.Rangit	175.0	New
Teesta/Sikkim	Gompa	G.Rangit	46.0	New
Teesta/Sikkim	Teesta storage II	Teesta	450.0	S&I
Teesta/Sikkim	Panan*	Tolung	200.0	New
Teesta/Sikkim	Teesta storage IV	Teesta	495.0	DPR
Teesta/Sikkim	Teesta storage VI	Teesta	360.0	DPR
Others				
Sikkim	Lachen*		210.0	New
Sikkim	Rolep		32.0	S&I
Sikkim	Chakung		24.0	S&I
Sikkim	Ralang		40.0	S&I

Key

IC: Installed Capacity

New: Identified schemes yet to be taken up for preliminary survey and investigation

DPR: Identified schemes for which details project report has been prepared

S&I: Identified schemes under survey and investigation

*: indicated project listed under the 50,000 MW schemes PFRs for which have been completed.

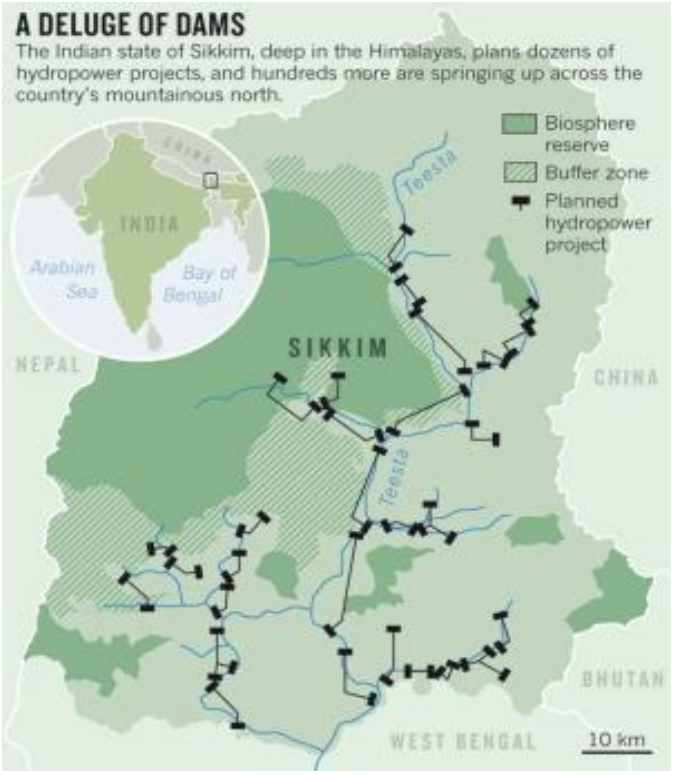

Figure 3.3 the proposed 'run of the river' hydropower projects would divert most of Sikkim's river through underground tunnels (Vogholikar & Das 2010; some of the projects in this depiction have been scrapped)

3.5 Panan HEP, Location and Details

According to the DPR, Volume-I submitted by SMEC India Pvt. Ltd., in April 2006,[18] *Talung Chu*, a tributary of the Teesta River for the generation of electrical power in run of river hydropower development, is a part of the 50,000 MW hydro electric initiatives launched by the Government of India.

The Preliminary Feasibility Report (PFR) was prepared by the National Hydroelectric Power Corporation Ltd. (NHPC) in 2004, which had recommended a 50 m high concrete gravity dam across the Talung chu, that could convey water

[18] Himagiri pvt.ltd. http://www.sserc.in/power-generators/himagiri-hydro-energy-private-limited

to a 300 MW power station located at the confluence of *Rangyoung chu*, yet another tributary of the Teesta river and originates in the *Talung* Glacier of the Kanchenjunga range of the Himalayas.

The project location is in North Sikkim and the proposed dam site is situated in the confluence of *Talung Chu* and *Rangpi chu*, nearby *Lingzya* village, with gross head of 361.4 m and 4x75=300 MW capacity and components of 9.3 km underground surge, tail race pool, 400kv GIS building.[19]

3.5.1 Dzongu Protest against the Panan HEP

Hydro power is a renewable, economic, non-polluting environmentally benign source of energy. Hydro power stations have the inherent ability for instantaneous starting, stopping, and load variation, etc., unlike the Thermal generation units that cannot be regulated, switched on and off at will and convenience. There is no doubt that hydel power generation helps in ensuring a reliable power generation system. Hydro stations are the best choice for meeting the peak demand. The generation cost is not only inflation free but reduces with time unlike all other technology in the domain of power generation.

Hydro-electric projects have long useful life extending over 50 years and help in conserving sources unlike in the case of power generation using fossil fuels. They also help in opening of avenues for development of remote and backward areas.

[19] Himagiri Pvt. Ltd. Official website http://www.sserc.in/power-generators/himagiri-hydro-energy-private-limited

However, the instant project is facing huge opposition and unrest in the specific area of Dzongu where it is coming up; among the causes for such resistance is the location of the project, being in the heart of the protected indigenous Lepcha tribal reserve called Dzongu. The Lepcha people have been protesting against the project and resisting it right from its inception. A marathon hunger strike of 915 days, beginning June 22, 2007, called off finally September 27, 2009, only after the State government assured the protesters of negotiations was evidence of the intensity of the protest. The protest still continues and legal actions are being contemplated against the project developer.

The project affects the culture, demography and social fabric of the Lepcha people, who have been reduced to the status of a minority in their own land. Not only that; the project will also affect the fragile ecology of the place. The Kanchendzonga national park and biosphere reserved forest, a major part of the protected reserved land of Dzongu, is considered the last bastion of the Lepcha people. In support of the rights of the indigenous people, a high level delegation of SIBLAC had a series of meeting in Delhi in January 2008 with senior government functionaries in the Ministry of Environment and Forest including the then Union Minister for Minority Affairs, Mr. Salman Khursheed; the issue, apart from ecological concerns, involved the rights of the religious minorities -- the Bhutia-Lepcha people.

While demanding the Dzongu region declared as national heritage site, the group also demanded to scrap the 300 MW Panan project in Dzongu for the following that the Dzongu indeed is the safe haven for the Lepchas who constitute a religious minority.

3.5.2 Dzongu: Safe Haven for Indigenous Minority Lepcha

Dzongu is considered the safe haven of the indigenous minority Lepcha people. Following a royal proclamation by Tashi Namgyal, the Chogyal of independent Sikkim, in 1958, the state home department pledged to protect the Dzongu area by, among other things, restricting entry into the area by all non Lepchas, including those from Sikkim. That Sikkim's old laws be respected after its merger into the Indian Union was a pre-condition to its 1975 merger; and consequently the Indian Constitution was amended adequately to provide this protection.

Although the Lepcha people are also found in other parts of India and in Nepal, around 86 per cent of their 9000 and above strong population resides in Dzongu; the area is not only their spiritual homeland, but also their current one. Central to Dzongu, both physically and spiritually, is home to the mighty Teesta River that originates in the Tso-Lhamo Lake at an altitude of 17,500 feet. The Panan HEP is across a tributary of the Teesta as discussed earlier. As a consequence, the Lepcha is all set to lose the most and gain the least from these projects. The likely beneficiaries, in fact, are the myriad companies, contractors, labourers, suppliers, bureaucrats, politicians and ministers involved, all of whom inhabit Gangtok and none in the Dzongu.

3.5.3 Violation of Rights to Places of Worship

Historically and traditionally the Dzongu area was known as *NEY MAYAL LYANG*, meaning the 'holy hidden land' and also as the land of the sacred and 'sacred treasures' and in substance the essentially, paradise. According to Lepcha legend, the God created the first Lepcha man and woman from the sacred snow of the mighty Kanchenjunga, the massif that the Lepcha rever to this day as protective deity. Within the core area of the proposed Panan hydroelectric project are a host of sacred sites; the *kagey lha-tso* lake, the *drag shingye* caves, the *jhe-tsh-chu* and *kong tsa tsu* hot springs, all of which are said to be endowed with healing properties. Indeed, the entire North district of Sikkim has numerous such treasures, each of which was blessed by Guru Rimpoche (Padmasambhava), the patron saint of Sikkim.

Panan is one of the more disputed among the projects proposed in the Dzongu -- an area not only sacred but also falling dangerously close to the Kanchendjunga national park, an area rich in flora and fauna. Given the physical and the topographical nature of so many of Sikkim's holiest places and the concurrent identification of the Lepcha with these sites -- the potential impact of the current development proposals on Dzongu's religious identity and sanctity is what causes such great anxiety among many.

In the year 2012, Sikkim's Buddhist community and clergy ended up the most articulate and vocal critics against the dam protesting against the construction of the power projects. SIMBLAC, an organisation that came up in this context, has forced the government to abandon two hydropower project viz. Lithang and Tingting over the Rathong chu on religious ground and another project, the Tashiding hydro power project over the Rathong chu, already under

the examination of the High Court of Sikkim. A Writ Petition by one Tenzing Bhutia has been admitted by the High Court challenging the legality of the Tashiding hydro project on the ground that it impedes religious rights of the people apart from violating environmental laws.

However, the Panan HEP is one of the most controversial projects also for the reason that the details such as even its project capacity is not clearly revealed; as for instance, the statement given by state government has said that the 280 MW Panan HEP in the protected Lepcha reserved of Dzongu in north Sikkim did not pose a threat to the ecology and culture of the area while the Union Ministry of Environment and Forests has barred the developers of the project from setting up any labour colony within the Dzongu region. However, the government statements were ineffective and the protest fast by the affected people continued beyond 44 days between 22 June and 4 August 2007. A number of organisations, including the Delhi Forum, kalpavriksh, SANDRP and others wrote to the Prime Minister and the President of India even then; the sad part of it is that their appeals have not evinced any response since.

Meanwhile, on July 18, 2008, the Supreme Court's Empowered Committee asked the Sikkim government to respond to the issue raised by the Lepcha community. The Affected Citizens of Teesta (ACT), had approached the committee stating that part of the Panan project was bound to affect the Kanchendzonga national park.

The Sikkim State Pollution Control Board listed the project as a 300 MW project for which a public hearing was conducted on September 18, 2006. The project is to be developed by the Hyderabad based company Himagiri Hydro

Energy Pvt. Ltd. However, in June 2007, the website said the project will have a capacity of 200 MW.

The report on the carrying capacity study of the Teesta basin in Sikkim, by the Centre for Inter-Disciplinary Studies of Mountain and Hill Environment, Delhi University, also mentioned the project with an installed capacity of 200 MW only. It is not clear as to how the project installed capacity was increased to 280 MW and then to 300MW in due course.

The point is that project was cleared by the Union Ministry of Environment and Forests, on January 2, 2007, as a 280 MW project. The clearance, later on, stated that the project in the North Sikkim district involves a 56 m high concrete gravity dam above 1.75 km downstream of the confluence of the *Rangyoung Chu* and *Ringpi Chu*, near *Lingzya* village in Dzongu sub division on *Rangyoung Chu* tributary of the Teesta. The project requires 56.835 ha of land, including 23, 629 ha of forest land. The clearance letter says "the surface power stations would be located on the right bank of the *Tolung chu* river" but this seems to be a mistake, for according to the CISMHE report, an underground power house is to be located on the right bank of the Teesta river at the confluence of *Tolung chu* and Teesta River, near *Panan* village and the project involves a 9 km long head race tunnel.

The project will displace 116 families, rendering 9 families landless. The clearance letter states, "the Dzongu region is provided with special status under Article 371 (F) of Indian constitution for preserving the Lepcha culture. Labour colony as well as staff colony should not be set up within the Dzongu region."

How this will be possible, considering that the project is coming up inside the Dzongu region is difficult to understand.

A notification by the Union Ministry of Environment and Forests in the year 2000, on the Kanchendzonga Biosphere Reserve, clearly states that "the core zone of the biosphere reserved will be kept absolutely undisturbed". The ACT application highlighted that the proposed CAT activities inside the protected area is in complete violation of the above mentioned order and hence clearance to the HEP should be cancelled. The Court Empowered Commitee has issued noticed to Sikkim State government in this regard.

3.6 Teesta Stage IV HEP, Location and Details

Teesta stage-IV Hydroelectric project is a run of the river scheme proposed along river Teesta as part of a cascade development of projects in the Teesta basin. The Teesta River is the largest river of Sikkim and about 95% of the total area of the state fall under the catchment area of this majestic river.

With a 108.50 metre high concrete gravity Dam, from the deepest foundation level proposed at a village called Sangkalang near Mangan in the North district of Sikkim, the impact of this project on the Dzongu reserves is humungous. The NHPC made out that on account of the fact that the project, as envisaged on the original site, would submerge the mela ground and hence decided to shift the location of the dam 3.5 kms downstream to save the mela ground from being submerged. The proposed location, after this shift, is at the confluence of *Run chu* with Teesta river, near Chandey village (on the left bank) and near Hee Gyathang village (on the right bank) in North district of Sikkim.

According to the project proponent, NHPC Ltd. (in short NHPC), this is a run of the river scheme project. The total land requirement is about 324 ha., out of which 143.49 ha., is government/forest land (including 31.1 ha in the River bed and 14.40 ha. for underground works) and 180.58 ha, being private land. The total submergence area is 105.37 ha. The total catchment area of the project is 3910 sq.km., and an underground powerhouse is proposed near Phedang village on the right bank of the river with 4 units, each of them with an installed capacity of of 130 MW. A total of 256 families are likely to be affected due to the project with no displacement. The project falls within 10 km of Kanchendzonga National Park (KNP) and the Fambong Lho Wildlife Sanctuary (FLWS).

3.6.1 Peoples' Protest against Teesta Stage IV HEP

The protest against the construction of Teesta stage IV HEP is the outcome of both the large scale impact on environment that the project holds as well as their religious and traditional rights being infringed by the execution of the project. The said project is located between the 1200 MW Teesta Stage III Project and the 510 MW Teesta Stage V projects which are already commissioned. The 4.37 km long proposed reservoir will be connected to the power house by two headraces tunnels, one of 6.58 km and the other 6.47 km long.

On completion, the project will submerge 105.37 ha of land; in the words of the protestors: "Being a state with the highest number of hydroelectric dam

projects and highest number of species diversity, and more dam projects is against the principle of sustainable development."[20]

Because of the three projects, Teesta-III, Teesta-V and Teesta VI, 70.6 km of the river in Sikkim is no longer flowing free on its course; and the proposed project, if completed, will result in additional loss of 14.67 km., where the river will cease to flow free in its course. Therefore, on completion of the project, a total of 85.27 km of river would be affected in Sikkim.

The concerns raised by the local people about the fallacies in the Environment Impact Assessment Report include that it did not call into account or scrutiny the fact about the proposed project being located in such close proximity to the Kanchenjunga National Park and the Fambong Lho Wildlife Sanctuary -- as close as within 10 km radius of the project – as well as the social-culture aspects of the indigenous Lepcha community including Dzongu culture landscape and cultural importance of Tingkyomg Lake, below which the underground tunnel to the power house will be laid.

The protesters have also raised questions on the cost –benefit analysis; and in their assessment, the costs have been underestimated and benefits have been over estimated resulting in a faulty cost-benefit ratio.

3.6.2 Existence of Panan 300MW HEP and Teesta Stage IV 520MW

The two mega projects -- the 300MW Panan HEP and 520 MW Teesta stage IV -- have caused protests ever since they were conceived, particularly in

[20] Rai, Suresh Chand, Rakesh Chandra Sundriyal, Eklabya Sharma. *Sikkim Perspectives for Planning and Development.* Sikkim Science Society, national Highway. Opposite krishi Bhawan Tadong-737102 sikkim: Bishen singh mahendra pal singh 23-A New Connaught place, Dehra dun-243001 india, 1998. ISBN-10: 8121101603; ISBN-13: 978-8121101608. 1998.

the Dzongu region. The government of Sikkim, meanwhile, went about formulating and carrying out its policy on hydel-power development, across the State, without any meaningful consultation with its people; this has not helped the state in any way. The fact is that the state has failed to realise and achieve the targets set in this area during the ninth and the tenth plan period as a consequence of its skewed approach to policy formulation and execution. A look at the details in the following Table (Table 1-A) will help gather an idea on this.

Table 1-A

Status of Ongoing and/ or Completed Power Schemes in Sikkim (as at the time of completing this thesis)

Sl. No.	Name of Project	Location	Developer	Capacity (in MW)	Status of DPR	Date of MOU/Agreement	Environment Impact Assessment	Environment Clearance	Land Acquisition	Forest Clearance	Latest Status
1	Teesta	North	Teesta Urja	1	Completed	18 July 2005	Completed	Obtained	Completed	Obtain	Project

	stage-III	Sikkim	Ltd	200							commissioned
2	Teesta stage-IV	North Sikkim	NHPC Ltd	520	Completed	01 march 2006	Completed	Yet to obtain	Yet to obtain	Stage-I approval accorded	Major construction works still not started
3	Teesta stage-V	East Sikkim	NHPC Ltd	510							Project commission
4	Teesta stage-VI	South/east sikkm	Lanco Energy Pvt Ltd	500	Completed	07 December 2005	Completed	Obtained	Completed	Obtained	Work on hold

5	Panan HEP	North Sikkim	Himagiri Hydro Energy Pvt Ltd	300	Completed	05 December 2005	Completed	Obtained	Completed	Obtained	Pre-construction work started but works on hold
6	Rongnichu HEP	East Sikkim	Madhya Bharati Power Corporation	96	Completed	01 March 2006	In progress	Obtained	Completed	Obtained	Under construction
7	Chuzachen HEP	East Sikkim	Gati Infra Structures Ltd	99	Completed	14 November 2003	Completed	Obtained	Completed	Obtained	Under construction
8	Bhasme	East	Gati Infra	5	Completed	14	Completed	Obtained	Completed	Obtained	Under

	y HEP	Sikkim	Structures Ltd	1		November 2003					construction
9	Rangit Stage-II HEP	West Sikkim	Sikkim Hydro Ventures Ltd	66	Completed	08 December 2005	Completed	Obtained	Completed	Obtained	Under construction
10	Rangit Stage-I	West Sikkim	Jal Power Corporation Ltd	120	Completed	19 December 2005	Completed	Obtained	Completed	Obtained	Works on hold
11	Dikchu HEP	North/east Sikkim	Sneha Kinetic Power Projects	96	Completed	01 March 2006	Completed	Obtained	Completed	Obtained	Commissioned

			Ltd								
12	Jorethang loop	South Sikkim	DANS Energy Pvt	96	Completed	05 December 2005	Completed	Obtained	Completed	Obtained	Commissioned
13	Tashiding HEP	West Sikkim	Shiga Energy Pvt Ltd	97	Completed	03 September 2008	Completed	Obtained	Completed	Obtained	Commissioned
14	Rahi kyoung HEP	North Sikkim	Sikkim Engineering Pvt Ltd	25	Under preparation	29 March 2012	Yet not start	Not obtained	Not started	Yet to apply	Yet to start
15	Rangit Stage-III	West Sikkim	Nhpc Limited	60							Commissioned

16	Bakchachu	North Sikkim	Sanvijay Power and Allied Industries Ltd.	40	Under preparation						

Source: Energy and Power Department, Government of Sikkim

The projects, meanwhile, have suffered considerable cost over runs and all the projects are running behind schedule as evident from the data above. Thus, it is amply clear that development cannot be bulldozed through coercion and violation of people's rights. Development has to be understood, accepted and promoted by the people themselves. A government alone, without the participation and consent of the people, will not be able to successfully promote a development policy. The story of hydro-power development in the Teesta basin of Sikkim and the historic struggle of the Lepchas prove that.

But, subsequent events since 2018, point out that the government of Sikkim might not have learnt a lesson from the past. The government of Sikkim has managed to overturn the decision of the MoEF on the moratorium for projects upstream and these have again been opened up for consideration. The most controversial of these, Teesta Stage IV and Panan HEP, within Dzongu are coming up for environmental clearance also.

It will be unfortunate if the government tries again to precipitate another crisis by its unilateral actions. The relative calm cannot be taken for granted. Development cannot be induced through force and brute majority. It is a political decision and needs political consensus.

Dams, in another time in the past, were considered as the monuments of progress; this was in the immediate wake of independence and long before concerns of environment was raised in the mainstream and the idea of sustainable

development as distinct from development as merely a technological concern had emerged as theories across the world. [21135]

It may be true that there existed a corpus of literature on development and human concerns even then, the most prominent being M.K.Gandhi's Hind Swaraj. These, however, were critiques of modernity wherein economic development was held co-terminus with technological growth. However, big dams as development projects were resisted and protested for its large scale displacement of people and environmental degradations in many parts of India over the years and particularly since the 1970s. The role of the anti-dam movement was also instrumental in bringing about this change in the mind of the people and government's attitude.

At first these movements made the people conscious. It gave a sense of direction and added an important dimension to the concept of political rights of the tribals and the downtrodden, sections of the society that face the adverse consequences of the development projects.

The story of the resistance in the Dzongu is one of learning and engagement with facts and counter-facts in its course. It is about realisation of how processes of consultation are distorted and facts rearranged to churn out reports favourable to the projects as envisaged; it is about how such attempts were countered and challenged by the people at various stages.

[21] It may be noted here that the earliest of a comprehensive critiques of the technology driven development model and the formulation of an alternative was by Schumacher. See Schumacher, Small in Beautiful. 2011 We have a plethora of works and substantial arguments since then on the idea of development.

As for instance, the Teesta stage IV and Panan HEP fall inside the reserved tribal area Dzongu; a meeting of the gram sabha was held on 13 May, 2017 to consider the case of 20/Lum-Gor-Sangtok GPU under Dzongu tribal reserved region. The said gram sabha, as was held out by the officials, was meant to be part of the FRA awareness, (Forest Rights Act), the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereafter called FRA) come into force in January 2008.

The FRA attempts to recognize and vested forest rights and occupation of forest land, in forest-dwelling communities (Scheduled Tribes and Other Traditional Forest Dwellers). Section 3 (1) of the FRA provide a unique opportunity for forest depedent communities to claim and manage forest resources in order to achieve the twin objectives of biodiversity conservation and sustainable livelihoods among the general public of the GPU.

However, ultimately it turned out that the meeting did not have to do with FRA awareness and instead was meant to have resolutions FRA resolutions passed in favour of the development of project. The gram sabha resolutions, passed at that meeting on 13 May 2017, include the following line:

> The Gram Sabha Taryang, Gor, Sangtok, Shagyong and Lum villages within 20/Lum-Gor -Sangtok GPU of Dzongu sub division in the North district of Sikkim regarding compliance of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 wish to state that the following certification is based on the information collected, during the sabha and the information shared by the project

> authority regarding development of 520MW Teesta stage IV HEP by NHPC Ltd.
>
> In presence of SDM (HQ) Mangan as special guest and observer, and the other officials is found to be correct and proper.[22136]

The same resolution went on to say:

> On this basis the gram sabha hereby certifies that it consents to the proposed 520 MW Teesta –IV HEP by NHPC Ltd. This will involve:
>
> The diversion on 143.4928 Ha of forest land in total, acquisition of 25.888 Ha of private land, 0.23 Ha of government land and diversion of 20.082 Ha of forest land in 20/lum-gor-sangtok gpu for the development of stage IV Teesta HEP.

It was after this act of deceit that ACT stepped in and confronted the Government with facts. It gave birth to the "SAVE DZONGU GROUP" in Dzongu. This received publicity in the local newspapers and in the Social Media; public meetings and rallies organised under the Save Dzongu banner where participation was not restricted to those who feared dispossession or submergence of their homesteads but included government employees, students, etc. The deceitful manner in which the project was sought to be pushed united the people of Dzongu this time; this was quite unlike the resistance movements in the past on the issue of hydel-projects which spurned sections speaking for the projects too in the name of economic development.

[22] Gram Sabha Resolution of 20/Lum-Gor-Sangtok GPU, North Sikkim, which was held on 13.04.2017 at Gram Prashasan Kendra

It is however a fact that there have been supporters to the project in this case too; but the point is these are from outside the Dzongu.

3.7 Neo- liberal Agenda and Development

How does this propaganda of the state succeed where cultural concerns of people are presented as counter to some economic issues? In this both the state and private players paint a win-win picture for the people supported by the huge propaganda in their hands. These mega projects gain legitimacy on arguments that they generate revenue for the region, employment opportunity for the people and infrastructure development. The only problem arises when somebody raises a question that cannot be answered within lines of pure economics as it happened in the case of North Sikkim.

The other problem lies in the way development has been understood over the years. The idea of development is being redefined from colonial times (where only the coloniser was seen as representing and symbolising development) to economic progress of nation states with little stress on social transformation; then came the World Bank definition of successful participation of 'nations' in the world market and to the current rhetoric of equal distribution of benefit in a globalised economy. So anything to do with big is seen as the symbol of the developed.

Conclusion

Although rich in natural resource, the sylvan and pristine North Sikkim is one of the most backward parts of Sikkim. So, even the people understand the necessity of development in the area of health, education, road connectivity and such other aspects

that can improve the condition of people within North Sikkim. However, they protested against the mega projects that were being forced upon them; one such areas of confrontation is construction of big dams. It was to oppose such a barbaric crime against the indigenous people that a movement was started, mostly localised, and this ultimately led to the formation of the ACT. So the movement represents a positive shift in the discourse from economic development to sustainable development. The people of North Sikkim need over-all development but in the name of the development the cultural ethos cannot be eroded.

Chapter 4

Indigenous Peoples' Movements

4.1 Introduction

The industrial revolution, in England and subsequently across Western Europe, opened up new ways to convert energy into goods; this new way, use of automated technology to produce goods, was also seen, in its own times, as largely liberating humankind and freedom for man from his dependence on the surrounding ecosystem. Humans cut down forests, drained swamps, dammed rivers, flooded plains, laid down tens of thousands of miles of railroad, and built metropolises with buildings that were sky scraping. As the world was thus 'moulded' to fit the needs of human beings, habitats were destroyed and several species – flora and fauna -- went extinct. Our once green and blue planet is becoming a concrete and plastic shopping center.

However, there exists a view, though a voice in the wilderness in most cases and substantive nevertheless, that this process is only 'the destruction of nature'. And a middle point between these two can be that it is change. Nature cannot be destroyed. But as humans use their power to counter the forces of nature and subjugate the ecosystem to their needs and whims, they might cause more and more unanticipated and dangerous side effects. These effects, indeed, are perceived as controllable; it may be true too. The point, however, is that such control mechanisms warrant even more drastic manipulation of the ecosystem

While the goals of the Hydel mission, as presented by the state government of Sikkim, seem set in a rather noble objective of effecting economic growth as much as social and human development and set in the paradigm of green energy, the fact is that hydel projects, particularly those that fall in the scheme of mega-hydel, have long been a contested and a politicized issue all over. In Sikkim too this idea has been cause of a consistent struggle, bringing to the fore, the conflicting interests of pro and anti hydel forces. In this sense, it ought to have been ensured that the project/mission was subjected to a lot more scrutiny.

In this chapter, where the sources used are mostly culled out of information from secondary literature and to some extent based out of personal conversations, we seek to outline the issues involved from its inception and the making of the struggle in due course.

The government of Sikkim as a development imperative promotes hydropower. Despite the somewhat controversial merger of Sikkim with the Indian Union in 1975, Sikkim nowadays prides itself as a loyal member of the Indian union. The contribution of the State to the larger public good of the nation -- by helping to bridge the energy demand and supply gap that has increased dramatically as a result of India's rapid industrial growth is therefore portrayed not only as a duty but also as an honour for the national citizens in Sikkim.

Considering that the Sikkimese economy, presently, is kept buoyant by various central government grants and some of which include special privileges, the revenue generated through hydropower development is presented to be meant a step towards greater or even total financial autonomy from the centre. The argument has gained particular currency since rumors have been spread of financial support from

the centre likely to be tempered and progressively reduced in the near future. While such apprehensions could be called unfounded and unlikely to happen, considering Sikkim's strategic location bordering China, it is indeed being used as a key argument to legitimize the speedy implementation of the Hydel mission.

A fear of such things, indeed, is a potential push towards striving for fiscal self-sufficiency and lest it threatens doom one day all of a sudden to the state's finances and thus affect the people.

The government discourse, on the Hydel mission, thus makes a strong case for hydropower development as unleashing Sikkim's economic growth. In a popular metaphor, Sikkim's rivers are equated to a gold mine that lies untapped, or in which the state's wealth is currently washed away.[1] Instead, by tapping this under-utilized resource, it is hoped that not only economic, but also social development will be fuelled, with infrastructural expansion, poverty eradication and employment generation as key state development objectives.

In the several years that have passed with the execution of the Hydel mission and the accompanying damages the projects have caused involving the large scale damming and river diversion exercise, which involves environmentally disruptive tunnel blasting activities, it has become increasingly untenable for the proponents of this idea to paint it as green and sustainable activity. Accordingly, the State Government's publications, progressively, show that it does not deny the impact of dam construction on the local environment. Yet, downplaying the environmental impacts and calling into mind the state's two topmost priorities -- development and

[1] Menon, M. et al. (2003) "Large Dams in the Northeast-a bright future?" in *The Ecologist Asia* 11(1):3-8 .(2003) and personal communication with government official on 13 may 2016

economic growth – as priority to save the polity from an economic doom in the event, effectively weave this acknowledgement back into the environmental discourse.

An instance of this was a brochure by the Energy and Power Department of the State Government in 2010 that read as follows:

> The state government's policy has been to synchronize development imperatives with environmental sustainability as our green mantra remaining extra conscious while implementing hydel projects. However, such impact on the environment is mostly temporary in nature and as such, hydro power remains the cheapest green power available to the [sic] mankind today. As such, avoiding development of hydro power is not the answer to the environmental issues.[2]

4.2 Emergence of the Affected Citizen of Teesta (ACT)

It is appropriate to have an overview of the principal arguments in the controversy, briefly looking into the manner in which the conflict around hydropower projects has unfolded in Sikkim into its present format. A brief foray into the various struggles between the anti-dam groups and the pro-dam arguments hitherto will hence be in order.

The genesis of the Hydel conflict can be located in Yuksom, West Sikkim in 1994 and the issue was a 30 MW state-owned, over-the-ground run of the river project was being built on the 'sacred' Rathong chu river, at the gates of the Kanchendzonga biosphere reserve. A movement of environmentalists and devout

[2]Energy & Power Department, Govt. of Sikkim. "Energy & Power Sector Vision 2015" brochure. 2010

Buddhists (including the association of Buddhist monks) was launched against the project; and the mobilisation happened on environmental and religious grounds. The protests, vociferous since the very inception, received significant media coverage. The issue could be resolved legally; and the project was withdrawn by way of an announcement by the then Chief Minister, Pawan Kumar Chamling, in 1997.

With issues relating to cultural and religious sentiments, the poltical reality then (when elections to the State Assembly were on the anvil) is seen as the reason behind the State Government had given in to the opposition. Chamling and his party, the Sikkim Democratic Front, had been in power in its first term then (since 1994) and elections were due and observers hold that the announcement to call of the project proposal was caused "in a moment of political instability" just before the upcoming elections; in addition, the project had run into huge cost overruns caused by the delay in construction works. It should also be mentioned, though, that at the time the anti hydel protests were seen critically by parts of the local population who had benefitted from the project through employment and business opportunities, and who were very much in favour of its construction in its stage of inception.[3]

Subsequently and as if proving the view that the decision to call off the project was provoked by contingency in the electoral domain, the idea of hydel power received renewed political currency with the launch of the hydel mission and the signing of the numerous MoUs in early 2000; the incumbent party had won the elections and assumed power for a second term by then. Meanwhile, the anti-hydel groups, comprising mostly the tribal Lepcha and Bhutia people had consolidated into a movement against the 1200 MW Teesta III mega project in North Sikkim; and the

[3]Menon, M. "saved! The story of Rathong Chu" in *The Ecologist Asia* 11(1): 2003. p.33

State government shifted its focus now to the construction of the less contested 510 MW Teesta V project, whose area was further further downstream. Here, the local communities were oblivious of the implications of dam construction.

Teesta Stage V, thus ended up being the first two large hydropower projects constructed in the state. But discontent among the affected communities over the terms and conditions set by the project authorities, as well as protests against the adverse social and environmental project impacts in the area, started swelling soon here too.[4]

As the entire state watched the controversial[5] implementation of Teesta V, the more substantial and organised anti-Hydel movement to date started consolidating in the Lepcha reserve of Dzongu, North Sikkim, where a total of six hydel projects were proposed for implementation. Here the concerns were the threat of environmental destruction, influx of non-Lepcha and non-Sikkimese labourers into the pristine and fragile environment, and the loss of the reserved Lepcha homeland were brought to the fore. The Lepcha youth movement, now organised as the Affected Citizen of Teesta (ACT), foregrounded the threat that these projects could pose to the peaceful realm of the Dzongu, the 'cradle' of Lepcha culture and consequently lead to cultural erosion and the ultimate extinction of Lepcha culture. Somehow, their struggles thus become an identity based struggle and eventually a tactic which would allow for an easier politicization than a purely environmental struggle would. This, however, had its other side too; of the struggle getting confined to the mobilization of the Lepcha

[4]Personal communication with local activists and experts, may 2017
[5]Construction works were carried out indiscriminately and haphazardly and rehabilitation effort were confined to meeting the merest necessities (Sikkim NOW! News paper archives, personal communication with local activists and experts, may 6 2016)

group only. It must also be stressed that the Dzongu anti hydel protests caused considerable controversy within the Lepcha community too. [6]

Despite this, the ACT movement helped to finally catapult the issue of hydropower into the political realm of the state. Not because the issue had become more contentious with ACT's arrival on the scene but because the activists, by now, were far too determined and uncompromising. They were not easily satisfied with more 'favourable' terms and conditions but demanded "nothing less than a complete scrapping of the hydel projects in Dzongu." [7] The state government branded the activists and their families as being 'anti- social' , 'anti-national' and 'anti—development', threatened them and their family members with exclusion from public opportunities, public offices or effected penal transfers to 'punishment postings', and in this way sought to buy out and weaken the movement.[8]

While these 'penal' measures succeeded to some extent in weakening the struggle, they could not bring the movement (which by now had also gained the support of several national and international civil society groups and organizations) to succumb nor did they manage to resolve or to depoliticize the Hydel controversy as they could do earlier. Hydropower has thus remained a contentious and highly political issue in Sikkim, although official government discourse seeks to argue and

[6]Little, Kerry. "Deep Ecology, Dams, and Dzongu Land-Lepcha Protest Narratives about their Threatened Land" in *The Trumpeter* 35(1): volume 25. ISSN: 0832-6193: November 1 (2009). P. 34-64

[7]Arora, Vibha. (2008) "Gandhigiri in Sikkim." in *Economic And Political Weekly*, September 20, 2008

[8]Personal communication with ACT members, January 2016

affirm the opposite. Nevertheless, it is an issue that is avoided in public discussions, mostly for fear of taking a stand and then suffering the consequences.[9]

4.2.1 Recaping the Early Stages of Resistance against Hydel Power Project in Sikkim

In the early 1990s, when the State Government proposed a 30MW project over the *Rathong Chu* River, upstream of Yuksom in West Sikkim, the region witnessed the first instances of opposition to the project; it began with a memorandum submitted by the Association of Buddhist Monks in 1994. This, however, was ignored. They were mostly concerned about the religious sanctity of the project affected area. They considered Yuksom the sacred heartland of Sikkim; it is indeed to the Sikkimese Buddhists and other animist tribal groups and sites associated with this tradition would have been greatly affected by the environmental destruction and pollution during and after the project construction. Together, the Sikkimese Bhutia-Lepcha Association and the Tribal Women's Association filed another petition before the Sikkim High Court; but this did not yield anything. [10]

In 1995, yet another organization came up against the Hydel project under the name Concerned Citizens of Sikkim (CCS); the organization initiated organized protest actions to ensure shelving of the project. Their first act of protest was a hunger strike; the state government promised to halt the work and review the project. When this was taking time, the activists managed to mobilize hundreds and thousands of

[9]As a personal experience during the fieldwork the numerous critical voices about hydel projects even from among bureaucrats working in the power and forestry departments, but the sectors were fearful of expressing their dissent. They conceded however that hydel projects would cause massive destruction of existing flora and fauna, degradation of forests, disruption of the hydrological cycle, as well as landslides produced by blasting activities.

[10]Personal communication with people of Yuksom and Tashiding, July 2016, in the matter of: Miss Chukie Tobden & ors…..Petitioners versus Union of India & ors. Respondents, in the High Court of Sikkim at Gangtok Extraordinary Civil Jurisdiction Writ Petition No. of 1995

Buddhist monks from the various Sikkimese monasteries, along with hundreds of Sikkimsese women who assembled in Gangtok, staging a loud and colourful demonstration and demanding from the Chief Minister to abandon the project.[11] The relentless activism that marked this phase received extensive coverage in the media. And due to the strong religious significance attached to this and the symbolism involved in the protests, the movement's cause was soon known all over the state.

They also received support from the Lepchas who had been opposing the proposed Hydel projects on theTeesta in North Sikkim, as well as many Bhutia – Lepchas from among the urban middle and upper classes in Gangtok; this included a section whose support was declared only from the closets since many belonged to the state's bureacracy! The sense was that the destruction of the sacred land was bound to provoke the wrath of the deities inhabiting it. This phase, in fact, was compounded into a societal crisis and resistance in the midst of incidence of illnesses and accidents that occurred throughout the state; a perception was built that these were the fallout of the hydel project.[12]

Notwithstanding these, the project was not shelved and the matter was taken to the Sikkim High Court and where it failed it was taken before the Supreme Court. The judicial processes took their toll in terms of time. In this context, in 1997, with the court case still pending and construction work on the project was still on, 'in a moment of political instability and for reasons seemingly unrelated to the project and

[11]Schaefer, 1995.
[12]Balikci, Anna. *Lamas, Shamans and Ancestors: Village Religion in Sikkim*, Brill's Tibetan, studies Library, Brill (Leiden-Boston), 2008.

its consequences for the Bhutia Lepcha communities' the Chief Minister announced, all of a sudden, the cancellation of the project.[13]

Meanwhile, by this time, the debate over Hydel projects had also shifted to newer terrains both physically and otherwise; from West Sikkim to the North district of Sikkim. Simultaneously, construction of the 60 MW Rangit stage III HEP by NHPC was completed by 1999. For the first time the Sikkimese people got to see, in reality, what a Hydel project is all about: Land acquisition, submergence, large compensatory sums, displacement, no guidance to the marginalised tribals and sudden riches to some, etc.

Where the government was planning to implement the ambitious 1200MW Teesta III HEP in North Sikkim, the people in the region, primarily constituting the Lepchas and Bhutias, who would be affected by the proposed Teesta III HEP were, by now, all geared up to oppose the planned project -- Teesta III – and formed what was called the Joint Action Committee (JAC). However, the State Government was aware that the project would meet a lot of opposition from the tribal population. Thus, in a rather strategic move they decided to restrict the project to the construction of the smaller, 510MW Teesta V HEP further downstream from Teesta III, near Dikchu; the population there was ethnically much less homogenous and less organized and opposition to the project was far less consolidated.

In fact, the local people of this remote place, both in the physical and social sense of the term, were rather unprepared for the sudden arrival of a dam. Dikchu, logistically, was accessible from Gangtok as well as Singtam and hence movement of

[13]Balikci, Anna. *Lamas, Shamans And Ancestors: Village Religion in Sikkim*, Brill's Tibetan, studies Library, Brill (Leiden-Boston), 2008

material to the site was easier and possible without obstruction unlike the site proposed for 1200MW Teesta III HEP in North Sikkim where there was the threat of agitators preventing such movement.

The JAC, however, managed to throw a spanner in the wheels by mobilising its activists from the Northern hinterlands to Dikchu. The protests, though spearheaded by activists mobilised to Dikchu from further North, found a section of the people from the project affected area joining. However, the ethnic heterogeneity and lesser unanimity of opinions on the project and the fact that the JAC was not an experienced organisation with organisational skills and mobilisation tactics, the protests did not lead too far. They were not able to bring together the localized, geographically dispersed opposition movements that had emerged in the area, each with their own agenda. The government as well as the project developers, on the other hand, were successful in convincing a large part of the local population of the benefits looming out of the project. In the end, the demands of the JAC were largely ignored by the government and the project developers.

The JAC finally succumbed to their powerlessness, vis-a-vis the project implementers, and considered the cause a lost one and rested its hopes for wisdom to dawn upon the powers that be in the event of things going wrong. Furthermore, it may be stressed here that there was not much contact between the mobilisation, earlier on, against Teesta V and the organisation that spearheaded the protests then – Concerned Citizens of Sikkim (CCS) – did not show up anywhere with the JAC struggle in Dikchu. The JAC turned inactive and the struggle, indeed, can be described as early stirrings of protest; this would confirm with the developments post-2003 when MoUs

for Hydel projects came up in big numbers and with this we find the core of the CCS and the JAC re-emerging on the scene and the making of the ACT.

4.2.2 Affected Citizens of Teesta (ACT)

There was a surge in project planning and signing of MoUs with the Government's policy to engage private players in the hydel-power generation sector; we see a pronounced shift in this direction, insofar as Sikkim is concerned, in 2003. The JAC and the CCS, dormant for a while now, bounced back to activity when plans to construct at least six hydel projects in the protected Lepcha reserve of Dzongu became public knowledge. The JAC, by now, had rallied behind it a large number of unemployed youth, educated from outside of Dzongu, who feared the end for Dzongu and the vanishing of their Lepcha culture.

Thus, a new organization was formed -- the Affected Citizens of Teesta (ACT) -- who capitalized on the perceived treat to the Lepcha culture and identity to render that an issue and turned it into the main motif of the struggle.

The ACT achieved state wide tracking and managed to bring the Hydel issue on top of the state's political agenda. Their fervour was nourished by the fact that they all felt affected not merely due to the possible displacement but saw the projects as a threat to their land, culture and identity. Aware of the physical remoteness of Dzongu and the limitations it posed to their struggle being heard in Gangtok, the seat of the power, they took their battle to Gangtok in the physical sense. They staged two major hunger strikes, lasting for 63 days and 96 days subsequently and these drew a lot of publicity in the media.

ACT's campaign now was marked by relentless propaganda on the damages the projects threatened, networking with national and international environmental and social justice movements and NGOs, as well as lobbying and litigation. In the process, Hydel projects become an extremely sensitive political issue in Sikkim.[14] It is necessary to stress here that the ACT's protests this time were met with strong and concerted actions and counter-propaganda by the state as well as the mighty private players who were now in the middle of the Hydro-project proposals. It was, in many ways, a 'battle' and the various punitive arms of the state too were in play against the agitators and their leaders.

In the process, ACT activists were branded anti-national, anti-social, and anti-development. The victimization also affected their families, their professional careers and future employment opportunities. Finally, they were also opposed by a group of local pro-dam activists who had strong interests to bring the project to Dzongu. In fact, the controversy drove the Dzongu community into a deep abyss, as it emerged that there were a substantial section of the people there that came out in support of the projects. Not only did an anti-ACT-pro-Dam movement emerge as a counter to the protests but it also ended into a platform for sections within the Lepcha community that felt un-represented by the ACT; in fact, many Lepchas felt rather patronized by young, educated activists who thought they had to protect their own people.

[14]Little, Kerry. "Deep Ecology, Dams, and Dzongu Land-Lepcha Protest Narratives about their Threatened Land" in *The Trumpeter* 35(1): volume 25. ISSN: 0832-6193: November 1 (2009). P. 34-64
Little, Kerry. "Democracy Reigns Supreme in Sikkim? A Long March and a Short Visit Strains Democracy for Lepcha Marchers in Sikkim" in *Australian Humanities review* 48:109-129. (2010a), Little, Kerry. "From the Villages to the Cities: The Battlegrounds for Lepcha Protests" in *Transforming Cultures E journal* 5(1): (2010b)
; 84-111 and Arora, Vibha. "They are all Set to Dam (n) Our Future': Contested Development through Hydel power in Sikkim Democratic Sikkim" in *Sociological Bulletin* 58(1): (2009) 94-144

This phase of the struggle, where geographical and ideological differences came to the fore led to divisions within the families into opposing camps. Eventually ACT had to end up calling off the second phase of the hunger strike on its 96th day and the actvists returned from Gangtok to their communities, hoping to be able to re-establish peace and dialogue in Dzongu.[15]

To a large extent the state government tried to ignore and thus downplay the relentless campaigns and demands of the young activists. But given their daring strategies and the amount of media coverage and publicity the struggle received, not only within Sikkim but also national and international, the state government also had to engage in face saving strategies. In the end, it was probably through successful lobbying that the project opponents could convince the state government to scrap four out of six planned Dzongu projects.

The movement received some amount of support and advice from the CCS activists, and networking efforts brought organisations of the Lepchas from the neighbouring regions of Darjeeling in West Bengal as well as national and international socio-environmental movements and scholars to declare their solidarity; it must, however, be stressed here that support for ACT from within Sikkim was rather limited. It is also noteworthy that despite the visibility that the two phases of the hunger strike had gathered in the media, there was no collaboration between ACT and other Dam-affected movements elsewhere in the country in this phase of the movement. Even in Urban Gangtok, where the people witnessed the protests, there was no such thing as solidarity actions of any kind.

[15]Little, Kerry. "From the Villages to The Cities: The Battlegrounds for Lepcha Protests" in *Transforming Cultures Ejournal* 5(1); (2010b), McDuie-Ra, D. (2011) "the dilemmas of pro-development actors: viewing state-ethnic minority relations and intra dynamics through contentious development projects" in Asia Ethnicity 12 (1): (2011). 77-100

It may be noted that the movement, as such, is still on (at the time of writing this thesis) though without any demonstrative actions.

It must be stressed that at least 40 activists of the ACT are accused in various criminal cases, ranging from charges of trespassing and causing damage to properties of the project developers at a hydel construction site in Dzongu. ACT is also engaged in litigation on other issues regarding these hydel projects and is thereby hoping to achieve scrapping of the remaining two Dzongu projects. In Dzongu, meanwhile, the situation has calmed down considerably; however anoy formal discussion on the issue is largely avoided in order not to light new sparks of disharmony.

4.2.3 ACT's Lack of Experience in Conducting Movements

A close look at the ACT-led protests, in its early stages, reveals that the movement against the Hydel-projects were found wanting insofar as garnering support, from both among the affected communities as much as from the society at large. This is true of the inability of sorts by the ACT in gathering a critical mass towards its demands from the political parties in Sikkim as such. This, notwithstanding, the movement did gather mass over a period and also some incremental gains at times.

The threshold for affected people to become vocal about the disruptions and perceived injustices caused by the Hydel projects is reasonably high. Protests against or the contestation of Hydel projects in the pre-construction phase are rare and usually supported only by a minority. People often become vocal only once they perceive adverse impacts or when the promised benefits do not materialize. In other words, the

impact ought to be felt by the people before they gather against any such projects and this has been an experience elsewhere too.

In case of Sikkim, the development imperatives in the context of the remoteness, lack of avenues for internal resource generation from within and the consequent dependence of the region on Central grants and funds (as discussed earlier in this chapter) had its implications for the anti-Hydel movement too. In the course of it, we found the people in the State favouring the Hydel projects and their perception was groomed through the propaganda over the purported benefits such as money for land as compensation for land acquired, employment, development of infrastructure and services. Add to this a perception, inevitable given the backwardness of the region in terms of power generation and other energy needs that Hydel projects are an important potential driver for the development of the state in general.

However we have also seen, in many cases, the affected people have no real knowledge about the actual impacts of hydel projects.

When the first environmental and anti-Hydel movements sprang up in the 1990s, those who raised them had rather limited experience with organizational and movement strategies. The capacity they have gained over the years, culminating in the ACT-led hunger strikes and effective lobbying and networking activities, has been arduously acquired over the years. Nevertheless, the anti-Hydel movement in Sikkim, particularly the Teesta V and the Dzongu movement, have indeed suffered for this lacuna in them.

It is also important to stress here that the movement is actually led by locals, being individuals who landed there despite having their roots in the Dzongu and yet

had lived most of their lives elsewhere. The Teesta V activists, being those who had left their homes early for education and returned to spearhead the protests, largely failed to effect significant changes to the plans because none of them were from the area. They did not have much say during the negotiations they had with the government and project developers. This also can be a considered a general shortcoming of civil society organizations in Sikkim. According to one activist[16] the reality was where everyone doubted everyone else and there was indeed a certain amount of distrust among the general public towards the NGOs and civil society organizations and their activities, political or otherwise.

4.3 Hydel Project Momentums on the Public of North Sikkim

The relative strength of the government and project developers differ according to that of the moment in history. In fact, in order for collective advocacy to succeed, factors which are specific to the overall political and economic situation at a given point in time have to be favourable to either of the adversaries. The development in the sphere of Hydel project planning and implementation does affect the effectiveness of collective advocacy movements.

The ACT protests were staged at a time when concrete action had begun to be initiated by the project developers in Dzongu to prepare for the project construction. The presence of power companies in the Lepcha reserve, wherein the identity of the developers as 'outsiders' as it were, did contribute to the fueling of the debate on the issue. The public was confronted with the impending reality of change and was thus motivated to support one or the other side. At a time when the project activities

[16]Personal communication with one activists on 21 may 2016, on request of informant not enclosed the name

slowed down in particular areas, the issue seemed less pressing and it was more difficult for the activists to sustain the movement. On the other hand, the Lachen and Lachung resistance turned effective because it was voiced only shortly after the Dzongu controversy.

In Dzongu, the external environmental and economic conditions also turned the situation in favour of the project proponents. Due to the collapse of the cardamom plantations due to ingest of pests that affected the crops across Sikkim -- and cardamom being a crucial source of income for many Dzongu farmers -- the anti-dam activists had very little bargaining power and nothing to compete with the economic incentives the project proponents had on offer.

Cardamom plantations have played an important role in the development history of Sikkim. It basically brought about two important waves of economic change which swept the state. Roughly, from the beginning of the late 20th century, many rural households became increasingly reliant on cardamom production as a cash crop-based livelihood strategy.[17] Subsequently, and especially after 1975, cropping patterns experienced drastic changes when cereal-dominated subsistence agriculture was gradually replaced by high-value cash crop-based commercial agriculture, including the production of crops such as potatoes, ginger and cardamom. The infection of pests and the death of cardamom crop consequently, beginning 2000, impacted the economy of the region adversely and rendered the people vulnerable to offers of money for their land.

[17]Bentley, Jenny. "Vanishing Lepcha: *Change and Culture Revival in a Mountain Community in Sikkim"* in Bulletin of Tibetology 43(1/2): (2007/8). P. 59-80

This being the context, the anti-Hydel movements even lacked the support of the very people they sought to represent; and added to this was the fact that these, communities themselves were not unanimous in their perception of the prospect of loss of their lands and livelihood. Even the village representatives, in the so called panchayats, who are supposed to be elected from their respective community and thus meant to hold the pivotal role in the making of the government's policies were caught in an ideological warp over 'development'. Endowed as they are with significant power within the village, their perceptions mattered a lot and played against the campaign. The panchayats, in the structure, usually function as the last link in the political control chain, which becomes a conflictive role when community positions are divided or the communities stand united against the project plans.

In the given situation, in North Sikkim, the panchayats were not very different insofar as failing in their essentials; and as it is elsewhere, the panchayats in North Sikkim too have turned into havens for persons from the ruling party, in this case the ruling Sikkim Democratic Front, whose Government in Gangtok was pushing for the Hydel projects. In this reality, panchayat members openly critical of the Government's projects were also vulnerable to lose their positions in the structure. Nevertheless, this is not to say that they always and exclusively agree with the government, particularly with regard to Hydel mission.

4.3.1 'Dzumsa' Community Resistance of Hydel Projects in North Sikkim

The achievement, in a sense, of the early struggle and resistance put up by the ACT was that it could ensure an atmosphere where communities were galvanised to take a more active part in debates involving the Hydel projects as well as other development schemes. This had meant that the inhabitants of Lachen and Lachung

valleys – the Lachenpas and the Lachungpas – had mobilised opinion against the project, to such an extent that made planning operations extremely difficult for the government and potential power developers. Lachenpa and Lachungpa are tribal Bhutia communities with a tradition of being rough in their tempers and are to a certain degree hostile towards each other. Lachen and Lachung are the only communities of Sikkim whose traditional system of Local Self Government, the 'Dzumsa', is officially recognized and protected in the Constitutional sense and hence not been replaced by the 'Panchayat' system of local Government even after the Constitution 73rd Amendment.[18] The state government usually respects the decisions taken by this governing body.

While the Lachungpas were initially not united in their opposition to the project, which could be due to the fact that a significant section of them happened to hold important positions in the state dispensation, the Lachenpas had, always unanimously and firmly rejected the project plans. In 2007, the Pipons (the village chieftains) of Lachen (heads of the Lachen Dzumsa) had submitted a letter to the Himalayan Green Hydro Energy Pvt. Ltd., the company assigned to implement the 320 MW Teesta I HEP in Lachen. The letter conveyed the firm determination of the people of Lachen not to accept any Hydel project in their area. In the letter, the Pipons appealed to the need to safeguard their fragile demographic composition; their culture and heritage and religious sites; and their natural environment and resources which constitute their only source of livelihood under such harsh environmental and climatic conditions.

[18]Bourdet-Sabatier, S."The Dzumsa of Lichen: An Example of a Sikkimese Political Institution" In *Bulletin of Tibetology* 40(1): (2004). P. 93-104

Most notably, the letter makes reference to the disposition of "the otherwise peace loving, simple and God fearing people of Lachen" to turn the hitherto prevailing situation of peace and security in Sikkim "fluid and explosive if pushed too far to the extent of losing their patience". It was categorical and minced no words. It said:

> Let us not create another Kashmir or Nagaland by forcible implementation of the project which has not been accepted by the local people. We have not signed the MoU pertaining to the project and as such we should not be held responsible for any untoward incident resulting from the implementation of the project in question.[19]

Apart from rejecting the Hydel projects, the Lachen Dzumsa had also imposed sanctions against those in the community who would thought or acted otherwise: "No person in the village is to speak to any outsider about the issue of hydel projects. Particularly not with the project proponents; they cannot even offer them tea. These include the Pipon of Lachen. Non-compliance with such rules will invite heavy fines."[20] The Lachung Dzumsa too took a similar stand subsequently.

The most important reason for the Lachenpas and the Lachungpas to oppose the Hydel projects is that these two valleys – Lachen and Lachung – are the cradle of Sikkim's tourism industry. Huge numbers of tourists visit the Lachen and Lachung valleys, especially in the high tourist season, and the economies in Lachen and Lachung are highly dependent on the revenue generated from this. A disturbance of the natural environment by construction activity and landscape modification would

[19]The Sikkim times, archive 07.05.07.hppt://sikkimnews.blogspot.com/2007/05/lachen-says-no-to-hydel-electric-power.html
[20]Personal communication with Lachen resident, and pipion n 13 march 2016

deal a huge blow to tourist flows in Lachen and Lachung valleys and thus affect the livelihood of its people.

The determination of the communities here to prevent the projects also comes from the fact that Lachenpas and Lachungpas were the witness to the impact of the Teesta III already. The communities from these valleys had to pass through Chungthang on their way to Mangan, an everyday affair, and such passages had exposed them to the perils and it was hence that the government had so far skirted any discussion on the issue of Hydel construction in Lachen and Lachung for long. But then, the shared experience of the people in these valleys had rendered a sense of inevitability to the prospect of the debate coming up in the near future and hence they had prepared for a resistance and thus kept the discourse alive. [21]

Until now (at the time of writing this thesis), the Lachen and Lachung residents have effectively contested and resisted Hydel development in their area and unlike the fate that met with the rest of the region in Dzongu. Although, according to one local from Lachung,[22] the Lachung community is not as unanimous on the issue as it appears from the outside and the State government, has time and again, found ways to revive project plans. This has also exacerbated the rivalry between the two villages, most notably because at one point, a Lachungpa who is a member of the ruling dispensation and a part of the state government purportedly had brought the project planners to Lachung and with them significant cash flows which accrue only to Lachung and not to Lachen.

[21]Personal communication with lachen and lachung resident on may 2016
[22]Personal communication in May 2016 with one local from Lachung, on the request of informant not to disclose the name

As a result, anybody who joins the opposition in the villages here run the risk of being victimized. In fact, according to an activist with whom I had extensive conversation, Lachen too does not hold a completely unanimous position; but because the majority has voted against the project, there is also significant trust in the opinion and authority of senior Dzumsa members who have expressed themselves against the project.

However, the community resistance against Hydel projects in Lachen and Lachung can, so far, be considered a complete success at least from the perpective of actual project opponents; so far the government has acquiesced to the Dzumsa's demands and has suspended efforts, particularly those that will be visible by way of construction material and workmen being brought in, and in that way has not done anything to go ahead with project implementation. However, there should be no legal reason why the government of Sikkim cannot resort to the extraordinary powers it is granted under the 1894 Land Acquisition Act, namely to purchase any kind of private land for public purposes. The same legal clause is used all over the state where the state government purchases land from Lepchas and Bhutias, which would otherwise not be saleable, and then transfers it to the power developers for project implementation.

The Dzumsa in Lachen and Lachung are autonomous bodies of local governance, independent forms of the "panchayat" system. As such, dominant political parties have much less influence on the Lachen and Lachung communities and less leverage to exert political pressure compared to other parts of North Sikkim villages. In this sense, it might be practically and tactically ineffective to incite another Hydel conflict, particularly when significant amounts of energy and resources

have just been expended in 'dealing' with other Hydel protests in Dzongu and West Sikkim.

In short, it may be concluded that the cessation of activities insofar as the Hydel project proposals in Lachen and Lachung (at the time of writing this thesis) could be due to the fact that there is, as it is, a strain on the finances as much as logistical constraints against going ahead with project planning. With many Hydel projects already under construction, putting a lot of strain on infrastructure and the environment, there seems a lull in starting work on the projects in Lachung and Lachen.

4.4 Hydro Power Project versus Affected Citizen of Teesta (ACT)

At the time of independence, India was strangled by a combination of stagnating per capita national income, poorly developed industries, inadequate infrastructure, etc. In this situation, there was a need to put in huge and organized effort, on a national scale, to achieve substantial progress on the socio-economic front. Thus, planning was accepted as the key strategy of India's developmental efforts. The era of planned development was ushered in with the launch of the first Five Year Plan in April 1951. In this, agricultural and industrial development with stress on the utilization of the country's water resources, particularly through multi-purpose river valley projects, was a primary aim.[23]

Following the national development strategy and economic growth as its indicator, large scale industrialization and massive infrastructural development projects were set up to set India on the path of modernization and development.

[23]Huyck, Earl E. "the Colombo plan: progress on the sub-continent". *Middle East Journal*, vol. 7, No. 1. (1953). Pp.88-99

Immediately after independence, a series of large dams were planned and built on the major rivers across the nation. The then Prime Minister, Jawaharlal Nehru, called dams as 'secular temples of modern India'. The thinking then was that it had the potential to solve the problem of floods, alongside tackling hunger and starvation, and providing the much needed electricity for industrial development. India, then, became one of the largest dam building nations in the world.

There are 4,291 dams in India and out of those 3,595 have been built and 695 are under construction at the time of writing this thesis.[24]

Indeed, the contribution of the hydro projects in India is enormous, putting the nation in the path of development; but the social and ecological costs of large dams were grossly under-estimated and ignored for at least three decades since independence. It is important to note here that the majority of the displaced due to these projects have been the Scheduled Tribes and the same is true of Sikkim too since the 1970s. This is, despite the promise in the Constitutional scheme of empowerment of the weaker sections in the social and economic sense, which shall mean the Scheduled Castes and the Tribes. The Constitution of India envisages and commits the state to ensure equal opportunity to all her citizens by providing special protection to the weaker section (SCs and STs); however, in reality, they are being marginalized in the process of 'national development'.

Uprooted from their ancestral land, they are forced to migrate to urban areas in search of employment and become landless labourers. The deprived classes have been paying the prices for 'development' of the urban areas and by providing electricity.

[24]Patwardhan, Amrita "Dams And Tribal People In India." , *Contributing Paper, Prepared for Thematic Review 1.2: Dams, Indigenous People and Vulnerable Ethnic Minorities*. World Commission on Dams. (1999). pp. 1-12

ACT's focus, in this regard, has been to challenge the state and the concerned project authorities to provide justice to the minority community of Sikkim rather than causing their displacement in the name of 'national development' and draw attention to the constitutional scheme guaranteeing equal opportunity to all her citizens by providing special protection to the weaker section (SCs and STs.)

Keeping with this focus, ACT's campaign has been to highlight the intrusion of these projects into the peaceful realm of Sikkim in general; concerns have also been raised about the potential damages that these projects are bound to cause on local population, their environment, livelihood and cultures and the long term project impacts perceived by local communities from the projects that have already been commissioned.

4.5. ACTs Concerns over Ecological and Socio-Cultural impacts of Hydel projects: A Brief Comment

Sikkim is often described as a hotbed of biodiversity or a botanical wonderland.[25] Not only would the cumulative submergence of forest land impact on riverine ecology, leading to a loss of biodiversity, precious animal and plant life will also be adversely affected by the construction activities and the extension of infrastructure of previously pristine areas. Further environmental impacts due to increased noise and dust pollution during construction as well as eutrophication of water resources, a result of improper disposal of construction debris, have also been taken up and highlighted by ACT in the course of its campaign.

[25]Rudra, k."The Dynamics of Social Inequality in the Kali Gandaki 'A' Dam Project in Nepal: The politics of Patronage" in Hydro Nepal. (2007) 1:22-28

That the destructive impact of Hydel projects on the environment is recognized by policy makers is evident in a notice issued by the Union Ministry of Environment and Forest (MoEF) to the government of Sikkim. Based on the findings of the "Carrying Capacity Study of Teesta Basin in Sikkim",[26] it states that projects above the Chungthang region in North Sikkim (the area where the 1,200 MW Teesta III HEP is presently operated), "should not be considered for construction of dams and large scale development activities due to the vast biodiversity in the region and non-availability of geological data to assess the geological sensitivities".[27]

Before this notice was issued, the government of Sikkim had allocated five projects in this area to independent power producers. These project plans have been scrapped only in 2012.

Ecological impacts and institutional shortcomings and insensitivities in project implementation can affect the well-being of the local population. Project-related pollution can induce health problems. The diversion of agricultural and forest land for project-related activities may affect local livelihood and food security too. And thus, indirect displacement in the long term can also take place where insufficient assistance with investment options is given post-land acquisition, and where no alternative livelihood options are available.

[26]CISMHE (2007) 'carrying capacity study of Teesta basin in Sikkim: executive summary and recommendations', report elaborated by the central for inter-disciplinary studies of mountain and hill environment, university of Delhi and by the centre for Himalayan studies, university of north Bengal

[27]Entecsol international (2009) 'white paper on hydropower resources in sikkim', report prepared for the government of Sikkim

From the cultural viewpoint, a frequently expressed concern in Sikkim is one about the influx of migrant labourers from outside Sikkim[28] and the consequent demographic changes, which could be considerable in the case of such a low- density population with high ethnic diversity.[29] Commonly expressed fears in this context are concerned with the spread of diseases that were not seen in the region and increase of possibilities of contamination, as well as cultural erosion in the long term, as outsiders start to form a majority.[30] In the words of an activist, during a public hearing at Chungthang in North Sikkim:

> These hydro projects are being touted as harbinger of immense money and prosperity but it has also made us a minority in our own homeland. The project report says that the area has 22,000 people but we must remember that it is not just Stage III that is coming up on the Teesta River. There are six such projects and accordingly the influx would be manifold. So if there is an influx of about 25,000 to 30,000 people from outside, what will happen to our population numbering merely 22,000? The presence of the General Reserve Engineer Force (GREF) and the army has already diluted our unique identity.[31]

Some projects jeopardize areas or sites of particular cultural spiritual value to the local population. The loss of such sites represents a cultural loss and loss of identity[32] which the local communities may value above the economic value produced by Hydel

[28]Most of the migrant labour in the project site, comes from Orissa, Bihar, west Bengal and Nepal (personal communication with stage III & V official as well as labour on July 22, 24 & 25 2017)
[29]Balikci, Anna. Lamas, Shamans and Ancestors: Village Religion in Sikkim Leiden: Brill. (2008)
[30]Such kind of fear must also be seen in the historical context of Bhutia-Lepcha Tribes who have become minorities in Sikkim, being increasingly outnumbered by in migrant Nepalis and plan people
[31]Tseten Lepcha, cited in Arora, V. (2007) 'Unheard Voices of Protest in Sikkim' In Economics and Political Weekly August 25, 2007
[32]Arora, Vibha. "Unheard Voices of Protest in Sikkim" In *Economics and Political Weekly*. Vol. 42, No. 34, august 25, 2007

projects. In fact the CISMHE study found that local people in general were "in favour of infrastructure development but not at the cost of losing the traditional life style and culture."[33]

4.6. Peoples' Opinion on Hydro Power Project in North Sikkim

The tribal settlements in the valley have remained relatively autonomous from the outside world. People of North Sikkim, especially in Dzongu, Chungthang, Lachen and Lachung are under the reserved area where the tribes have been cultivating the valley and banks of Teesta and Rangyoung River for hundreds of years, co-existing and in communion with nature and the forests. Devising their own techonologies and equipment, seeds and manure, they have been growing all the necessary grains, pulses, vegetables and fruits. The people out there have their own social, culture and political norms and systems, their own languages, rituals, mythology and their own literary and performative genres such as songs and story.

The arguments, that are used to justify large projects in Sikkim, are the exploitation of the state's perennial water system to produce cheap, plentiful power for the nation, economic benefits through power export, employment generation, flood control and little direct "displacement" of local communities. The state seeks to generate huge revenue by trading the 12 percent free power given by project developers as part of the terms of the MoUs. However, several unique features of the state -- its the geological fragility and that fact that it falls under the high seismic activity zone, the high sedimentation load of Teesta and its tributaries, the unique tribal communities and their culture and spiritual association with river systems, their

[33]CISMHE (2007) 'carrying capacity study of teesta basin in Sikkim: executive summary and recommendations', report elaborated by the central for inter-disciplinary studies of mountain and hill environment, university of delhi and by the centre for Himalayan studies, university of north Bengal.p.193

traditional natural resource-based livelihoods and the bio-diversity richness of the area -- pose a challenge to conventional dam-building wisdom.

It may be true that the culture and life in the region, over time, have ceased to be pristine as in the past. But then, the point is the people have been adapting to the socio-political changes from the outside world according to their own conveniences and needs. In other words, there has been an autonomous evolution and also interactions with the new systems and lifestyles. To some degree, the 'degeneration' of tribal traditions has arisen from the disintegration of the peoples' lives and resources brought about by the influence and intrusion of outside forces and industrial influence, as well as the socio-cultural influence of the media and party politics.

As it turns out, opinions about the projects are largely divided among the tribal communities and individuals, depending on who can expect to benefit from the project and who is likely to face disproportionate costs. Clearly, the projects are initially attractive to people who are not aware of the negative externalities that accompany the potential benefits or who have made a cost-benefit calculation that works out in their favour. The projects represent formidable opportunities to sell invaluable, unproductive land, for example, land which can be accessed only by climbing steep slopes and those that are inaccessible for cultivation, often at a much higher rate than what it may fetch in the normal course. And they promise other economic and social benefits, such as employment, business opportunities, economic upliftment, development of infrastructure, improvement of health and education facilities, etc.

The fact is that for poorer villagers, selling their land was not always an actual choice but rather an economic necessity; selling of lands, to them, was an

opportunity to settle debts and to improve one's livelihood security (even though it is highly doubtful how long-lasting this livelihood security is when the land an important fixed asset is gone). These, obviously, are prone to welcome the projects and offer their land for such acquisition.

There are other factors too that determine the response of the people in terms of pro and anti-dam; respondents also mentioned education as another factor that shapes project opinions. However, this explanation served both the pro and the anti-dam opinions. In some villages respondents claimed that mostly educated people (who invariably happen to be those from higher social status) have promoted the project whereas uneducated people are against it. This is not at all unrealistic, considering that the land holding pattern in many places in Sikkim still is marked by a small number of comparatively large landowners against a majority of smallholders. It has also been noticed that in those places where opposition to the project comes mainly from educated community, this is likely because they are better informed about potential negative consequences, and are often connected to interest based NGOs and other civil society groups who mobilize on the issue.

A few observations based on anecdotal evidence culled out from the interviews by the author in the course of this work from the field will be in order to put these as they are.

An often heard generalization to explain why people embrace the projects is that local hill people are money minded, profit oriented and short sighted. While this may or may not be true, a blanket statement like this does not do justice to the sensitivity with which different respondents weighed cost against benefits, particularly when speaking about the value of their land. Many respondents were well

aware of the fact that land titles are assets which are not commensurate with monetary compensation. A common refrain in this regard was that "these projects are not good for the future." In the words of a farmer from Lingdong,

> For the future it would be better if the project didn't come. It's not good for our grandchildren; they might suffer from scarcity of land. In fact even for the present it would be better if it didn't come. I prefer the peace of the village and it should be preserved.[34]

Simply put, despite promising economic benefits, for some landowners losing land meant not only losing an important long term source of livelihood, but also an important anchor for a sense of identity and belonging -- both of which cannot be compensated with money. On the other hand, not all project proponents were guided merely by economic considerations. And also most interviewees were aware that the projects generate revenue which could be important for the future development and greater self sufficiency of Sikkim.

However, opinion also seemed to be related to the respondents' personal relationship with the government. Many interviewees' discourses, whether they clearly expressed support of the project, or indifference, or concern, reflected a strong feeling of trust in the state government as a higher, all powerful instance that tends to take only those decisions which are in the best interest of the people. Conversely, an important group of interviewees who were opposed to the project stated that they do not support the SDF, the ruling party until 2019.

[34] Personal conversation with mr. Namgay Lepcha, Ringzong Lepcha and other farmer of Lingdong village Lower Dzongu, during August- September 2016

Although the degree of public opposition to, or negotiation of the hydel projects proposed and implemented is limited, individuals and civil society groups in Sikkim do challenge what appears to be an imposition of development interventions from above. Some individuals have taken it upon themselves to negotiate project outcomes that affect their own livelihood, and demand for more just compensation and rehabilitation. These are either actors who, due to their position or past vocation, believe in social justice and democratic values such as the right to freedom of speech; or their livelihoods have been threatened or destroyed to such an extent that bringing forward a complaint, and claiming for just compensation is the only avenue left for them to protect their livelihood.

Nevertheless it is usually considered inadequate and ineffective to challenge the government or the project developers on one's own account, particularly when it comes to addressing issues that are of relevance to the community or society in general.

Instances of collective advocacy, either to challenge the planning and implementation of proposed hydel projects or to negotiate the terms and conditions, are therefore more numerous. On many occasion, communities have submitted joint petitions to negotiate the project benefits that should accrue to them, in exchange for their assent to the project. Examples of this are the alleged "protests" in *Lum* and *Phedang* villages prior to implementation of Teesta V. Communities along the *Rathong Chu* have submitted similar petitions with their demands.

These groups are not outright in rejecting the projects, but are demanding for specific development or infrastructure services, or an increase in prices paid for the land. There have also been alliances of villagers or land oustees, such as in *Dipudara*,

who are jointly demanding to be rehabilitated and compensated for damages that have occurred during or after the project construction, or for ensuring the timely materialization of employment opportunities and other project related promises.

A recurrent theme with the majority of respondents (here and in other parts of Sikkim), when asked why they don't object to the hydel projects, or otherwise voice their concerns, is about the political pressure and control exercised by the government and its affiliates, discursively as well as materially. This form of political coercion, which reaches all the way down to the community level, via a chain of politicians, bureaucrats, middlemen, party –associates and village leaders, is a fact of political life in Sikkim and this has survived the systemic break that its merger with India was supposed to break; a legacy dating back to the Chogyals' times has persisted without much damage.

Being responsible for administering the large sums of development funding received from the central government, the state government could emerge as a generous benefactor that would deal out service and subsidies in the form of 'development gifts and rewards' (received in turn from the central government) to conforming individuals, households and communities, at virtually no cost.

In Sikkim, infrastructure and basic services are extended selectively and in small portion, yet unlike one would expect development assistance to promote – ingenuity, entrepreneurship; livelihood autonomy- patronage services in Sikkim have led a large proportion of the rural. This gives the state government a formidable space through which to "manufacture" and maintain its popular support base -- either by winning over the honest trust of individuals, or through indirect forms of coercion. Discursively, persuasion and control takes place on an inter-personal level. However,

since Sikkim is a relatively small state, much is conveyed as political propaganda by important political representatives --frequently by the chief minister himself -- during public events such as village to village tours, party meetings, election rallies, as well as the public celebration of 'development handouts'. Commonly, such propaganda contains compulsion and force.

A form of political pressure and coercion has permeated public opinion to such an extent that the exercise of power has become almost invisible, accepted, or not of any concern. It could even be argued that to a certain extent this has led to a paternalistic state-society relationship, in which the state as an all-powerful patron takes decision for the public, bearing in mind its 'best interest'. Such decisions are them accepted, both by faithful supporters as well as by potential opponents who feel that their hands are bound by the authority, as the following statement illustrates:

> After the strikes [in Dzongu] nothing happened, even though they went on hunger strikes. That's because it all depends on the government, they are the all-powerful. The protesters can't really influence the government. The people of the village also can't stop the government. Even the landowners are just guardians of the land; the real owner of the land is the government.[35]

The fear of political pressure was much visible, to this author, during the field work; not only in what respondents said, but also in their general attitude and willingness to speak. Landowners and other 'beneficiaries' tended to show more favourable attitudes towards the projects. The opposition to it, on

[35]Personal conversion with villagers of Lingdong, in lower Dzongu and Linzya village in upper Dzongu, during the month of August – September 2016

the other hand, was closely associated with people who feared losing out on the benefits as well. The popular responses were effectively controlled and suppressed through the exercise of political power by government representatives, bureaucrats, party members and at time even the village panchayats.

However, also through a historically embedded patron-client relationship which makes many people believe that the government operates in their best interest, .many respondents entertained uneasy feelings about the anti-dam protesters as they seemed to pose enough faith and trust in the state government to not even consider their own interests would be jeopardised in the process.

Thus in Sikkim, both state and private hydropower companies currently do not have to go to great lengths to circumvent existing socio environmental provisions, and it has increasingly been the role of civil society advocacy groups (or individuals) to challenge malpractices before the judiciary. India's dam policy framework ignores the complex stakeholder configurations and power relations at play in local dam-building realities.

4.6.1 Voluntarily Initiative: A Political Stand by ACT Supporter[36]

Although ACT distanced itself from other organizations and political parties by maintaining that it could not control how others reacted to the shared issue, particularly when clarifications from it did little to ease suspicions that

[36]Well-wishers of ACT, they are not active member of ACT but they are indirectly connected with ACT. However they take a decision to hold political stand for helping to solve the issue, they contest the panchayate election in 2007 without consulted with ACT. One of the panchayate who won the election as a independent say that because ACT didn't want to involved with political party.

too many politically motivated voices were joining the chorus. With politics came rhetoric and strong allegations from all sides.[37] Things back in Dzongu were not going well though and the increasing number of visits and comments by opposition leaders was being circulated as evidence that ACT was a political movement opposed to the developmental plans of the state government.

A process born out of socio-environmental concerns was being pushed into partisan political discourse and choices were being forced on the people for reasons that had very little to do with the issue at hand.

ACT stayed put with its demand that the Hydel projects in Dzongu would have to be scrapped before it stepped back. With the hydel protest being steered by Lepcha youth from Dzongu, it started getting identified as a Lepcha and Dzongu issue more and more. And social organizations headed by political leaders came together to form an umbrella organization by the name of SAFE (Sikkim Association for Environment) to support the ACT led protest. Several talks between ACT and the State Government were not heading anywhere and in the stalemate transpired incidents which created even more ill will and distrust.

Dzongu's importance to Lepchas as a community has never been in doubt; but it has never explicitly been presented as a holy land of the Lepchas. On the other side, ACT, with its Lepcha support groups in Sikkim and Lepcha organisations from Kalimpong, came together and formed a 'Dzongu Holy

[37]Personal communication with Dawa Tshering Lepcha, Tsheten Lepcha, Loden Gyatso Lepcha and Serap Lepcha, ACT member during August-September 2016.

Land Protection Joint Action Committee'[38] to protect Dzongu. The committee placed their demand before the Chief Minister of Sikkim wherein it highlighted the cultural and emotional significance of Dzongu. However, with the Holy Land argument started getting circulated more aggressively, this claim has been contested by the state government and the pro-hydel lobby as being inaccurate and criticised as an attempt to paint the issue as a communal confrontation.

Priorities, meanwhile, changed for some time in 2007 with dates announced for the Panchayat elections; although the several rounds of talks between the state government and ACT had led to nowhere, the elections led to the government announce that a final decision on the hydel projects in Dzongu would be taken only in consultation with the village level people's representatives elected in the poll scheduled for the October 2007.[39] This gave ACT a flicker of hope and individuals from ACT entered the local body elections as candidates against the ruling party -- SDF (Sikkim Democratic Front).

ACT distanced itself from other organisations and political parties[40] in the time of the elections and ensured that the only issue before the people in the elections was the hydel projects. There were no burning political issues in

[38]Wongchuk, Pema. "Lepcha and their Hydel Protest", in *Bulletin of Tibetology*. 43(1/2): (2009). P. 33-58

[39]Archive NOW! A Gangtok based daily news paper, this news paper is no more present day, editor Pema Wangchuk presently editor of Sikkim summit daily news paper

[40]Personal communication with Loden Gyatso Lepcha, he contest as independence candidate from Lingthem- Lingdem GPU for the post of Zilla Panchayate, and Nimkit Lepcha she contested as Gram Panchayate in Leven wards, they said they are voluntarily contested the election though ACT leader are not interested. They though if they win as a people representative their voice will be listening.

the other districts to draw the people out to the polling stations and record their stand.

On the day of voting, the north Sikkim of which Dzongu is a part, recorded the highest voter turnout with the average of 95% votes polled.[41] Five gram Panchayat wards in Dzongu, North Sikkim, even recorded 100% voter turnout. The result also reflected the position of each side on the hydel debate Dzongu recorded the highest number of wins by independent candidates among the 41 gram panchayat wards in Dzongu.[42]

[41]Archive NOW! A daily news paper, this news paper is no more present day and election commission office, records, Gangtok Government of Sikkim

[42] Statistical Report on General Election, 2009 to the Legislative Assembly of Sikkim, Election Commission of India New Delhi and Statistical report on Panchayate Election, 2007. Election Commission of India New Delhi

Chapter 5

Theorising the Indigenous Peoples' Movements

5.1 Introduction

The term *indigenous*, derived from the Latin *indigena*, meaning "born in a country," or "native," has a long history. In the mid-17th century, it referred to people or products "born or produced naturally in a land or region; native or belonging naturally to the soil, region, etc."[1] Its current social, political, and legal definition, however, are much ambiguous and even controversial, especially as the term has been taken up by a range of dis-enfranchised groups to define and promote their movements. Currently, the only definition of indigenous people that is legally binding upon ratifying states (with specific reference to the UN and the ILO) is the one included in the Indigenous and Tribal Peoples Convention, 1989, adopted as it is by 169 nations, by the International Labour Organization (ILO).[2]

However, there is not a universally recognized definition of indigenous people according to the United Nations. The term "indigenous people" has gained popularity because of the experiences of the Americas and Oceania, where colonisation and immigration from European nations had resulted in large-scale deprivation, displacement and discrimination of the native communities in those parts of the world.[3] If one designates some people as "indigenous" and consequently vests upon

[1]Oxford English Dictionary 2002: Indigenous
[2]Sylvain, R. 2014. "Essentialism and the Indigenous Politics of Recognition in Southern Africa." *American Anthropologist*, 116 (2).-14. 2014. Funding agency: SSHRC
[3] Srikanth,H. (2014) "Who in North-East India are Indigenous?" in *Economics And Political Weekly*, Vol. XLIX No.20. May 17, 2014.

them special consideration, we leave other people in the category of "non-indigenous" and consequently not worthy of such special consideration.

However, in one sense, there are no indigenous people, at least in the manner in which the term can be defined in one definite way: All the people in the world today have ancestors who have come from somewhere else, at some time; in some ways, every native group was an invader, an exotic coming from some other place.

Depending on the degree to which we have adopted our ways of life to that area, some can trace their ancestry in a particular area back over centuries; others have just arrived and don't intend to stay; some are entirely dependent on the resources of a particular area; and others come to visit, to trade, or to raid, and have their source of livelihood elsewhere.[4] Attitudes toward land and resources can differ depending on background, tradition and degree of allegiance to a particular living area.

The indigenous people spread across the world, are those practicing unique traditions, retaining their social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live; they are those who are descendants, according to a common definition, of those who inhabited a country or a geographical region at the time when people of different cultures or ethnic origins arrived.[5] Those who arrived latest, at a subsequent time in history, become dominant through conquest, occupation, settlement or other means.

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[4] Dasmann, Raymond F., University of Califonia., California, USA. "The Relationship between Protected Area and Indigenous People." IUCN's Commission on National Parks and Protected Areas in Cooperation with the United Nations Environment Programme.

[5]Oisiska Chakrabarti, Department of Public Information, email: mediainfo@un.org, Mirian Masaquiza, Secretariat of the Permanent Forum, email: indigenouspermanentforum@un.org Indigenous Peoples, Indigenous Voice, factsheet.

Considering the diversity of the indigenous peoples, an official definition of "indigenous" has not been adopted by any UN-system hitherto.[6]

Instead, the system has developed a modern understanding of this term "indigenous" and according to the UN, the most fruitful approach is to identify, rather than define, indigenous peoples. This is based on the fundamental criterion of self-identification as underlined in a number of human rights documents. The term "indigenous" has prevailed as a generic term for many years. In some countries, there may be preference for other terms including tribes, first peoples/nations, aboriginals, ethnic groups, *adivasi*, *janajati*, etc.. Occupational and geographical terms like hunter-gatherers, nomads, peasants, hill people, etc., also prevail and for all practical purposes can be used interchangeably with "indigenous peoples".

Meanwhile, several communities in India that consider themselves tribes have been officially recognised as Scheduled Tribe (STs).[7] Special provisions have been made in the Constitution to provide reservations to the STs in education, employment, and representative political institutions. The central and state governments have come out with several development programmes and welfare schemes for the STs.

Officially, all the STs are not accorded the status of indigenous people[8] but certain tribal areas in the hills of the North-East enjoy special constitutional status which guarantees considerable administrative and financial autonomy to the tribal communities to manage their affairs. The Sixth Schedule of the Constitution provides for constituting Autonomous District Councils and Regional Councils for select hill

[6]United Nations Declaration on the Rights of Indigenous Peoples, Published by the United Nations, 07-58681-March 2008

[7] "Identification of Indigenous Peoples", International working group for Indigenous affairs (IWGIA), available at http:www.iwgia.org/sw641.asp

[8]Srikanth,H. (2014) "Who in North-East India are Indigenous?." In *Economics and Political Weekly*, May 17, 2014. Vol. XLIX No.20

areas of the North-East,[9] to be administered exclusively by tribes inhabiting the particular areas. The schedule provides for different autonomous councils for regions within a single state and yet where the majority is constituted by one tribe over another.

According to the Constitution, the "Tribals" (also known as the Adivasis) are India's original indigenous people, spread out all across the subcontinent and there are about 700 tribes in the country.[10] These tribal population, predominantly, are located in such states as Madhya Pradesh, Chhattisgarh, Maharashtra, Orissa, Jharkhand, Gujarat while the North-East of India has particularly heavy tribal element. These ancient aboriginal peoples tend to live in isolated communities in the hills and forestlands.[11]

While their ancient history is largely a point of conjecture, there is sufficient evidence to hold that the adivasis have suffered greatly in India even as the nation is heading to become a modern economic superpower, for whatever the expression means. Their land and ancient customs have come under dire threat from the inexorable forces of 'progress'. They also endure discrimination, prejudice and displacement despite the fact that the Constitution guarantees them many rights. The struggles for survival for livelihood and existence as people have today intensified and spread as never before in history.

Adivasis belong to their territories, which are the essence of their existence; the abode of the spirits and their dead and the source of their science, technology, way of life, their religion and culture.

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[9]For the official information on autonomous district councils in Manipur, Tripura and assam, see http://manipur.nic.in/auto_dist_council.htm,ttaadc.nic.in/, bodoland.in/jaores/

[10]Annual report, 2000-2001, ministry of tribal affairs, government of India

[11]Ghurye, G.S. The aborigines, so called, and their future, Delhi, Oxford University press 1943.

Some Adivasis, particularly in India's restive northeast, have formed political organizations to agitate for the preservation of their ancestral lands. In West Bengal, the communists, particularly those identified as the Naxalites earlier and the Maoists at a later point in time combined the class demands for land rights for the poor with the cultural specific issues involving the tribals. As such, some Adivasis found themselves as part of a violent insurgency movement that made them enemies of the state, subjected to severe persecution and retribution

5.2 Indigenous Peoples' Movement

These are movements, in a broad sense and in very general terms, that seek to secure legal recognition against any kind of domination, for the recognition of their culture, traditions, belief and land rights, etc. The forms of such movements include conducting public awareness campaigns and forming strategic partnerships with governments and corporations to advance their cause. The nature of the indigenous peoples' movements varies from one another even while there may be common grounds among them; and hence, each has their own significance. The various trajectories of the movements are peasant rebellions, movements for self-determination, identity and ethnic nationalist movements, to identify a few.

Indigenous people, in contemporary times, have asserted their goals and needs before international and national fora[12] and such assertions were invariably based on the declaration on the Rights of Indigenous People proclaimed by the United Nations.[13] A broad overview of such ovements suggest the centrality of concerns for the international organization as much and the persistence of indigenous peoples to

[12]Neizen, Ronald. *The Origins of Indigenism: human right and the politics of identity* (Berkeley, CA: University of California Press, 2003, Pp.193-214.
[13]United Nations Declaration on the Rights of Indigenous Peoples, Published by the United Nations, 07-58681-March 2008

assert their cultural continuity, political autonomy, and claims to territory. The recent historical actions of indigenous peoples, however, are not well conceptualized in social science theory in ways that give sufficient understanding to the rise, persistence, and goals of indigenous social action.

Throughout the world, indigenous people make similar efforts to sustain or preserve their culture, their self-government and territorial autonomy; and they all face similar challenges when negotiating their claims with nation-states. This assumes importance in a world of increasingly globalized markets, culture and information. Instead of vanishing away or assimilating into the 'general'or the 'mainstream', the indigenous people propose to meet contemporary challenges from within their own cultures, communities and with their own political interest and cultural values.

In other words, the point made has been that the indigenous people are here to stay and stay as they are and not to be dissolved into the 'larger'. Consequently, new ways of theorizing the indigenous peoples' movement and new policies and practices for undertaking relations with indigenous people are needed. Theories of ethnicity,[14] race, nationality, and assimilation only partially capture the cultural and political processes of indigenous identity and community.

New theories of indigenous people must, therefore, be more closely crafted to fit the historical, political, and cultural experiences, aspirations, challenges, and achievements of indigenous communities.

[14] Champagne, Duane .*The Indigenous Peoples' Movement: Theory, Policy, And Practice* 39th annual sorokin lecture 13 march, 2008, University of Saskatchewan, Saskatoon, ISBN.:978-0-88880-547-5

The latter part of the statement, hence, might be called the indigenous perspective or contemporary world view. However, the rise of an indigenous people movement shall not be merely construed as the assertion of identity. This nuance is warranted given the fact that the movement also emerged from threats posed by the modern nation-state institutions, wherein the individual is foregrounded, as a rule, against 'perceived' threats to group cultural, political, and physical survival, as well as opening up the policies of some nation-states, more recently, supported by a changing international political and diplomatic environment, or more particularly the development of an international universal human rights philosophy.

Nevertheless, indigenous rights are not the same; and indigenous peoples will continue to contest issues of political, cultural and territorial autonomy with nation-states and within the international arena.

The indigenous peoples' movement, meanwhile, is not an effort to create a politically or culturally unified institution to challenge nation-states or the international community. The movement is composed of indigenous people who share common interests in protecting territory, and cultural and political autonomy from threats presented by the political, economic, and cultural interests and impositions surrounding nation-states. The indigenous groups mobilize and bind together and increasingly participate in the international and nation-state civil societies to protect common interests.

In doing so, each indigenous community retains its identity and autonomy within the movement. In this form of organization, it is reminiscent of Marx's comment about an ineffective social movement among farmers in France resembling 'a sack of potatoes', by which he meant they were composed of economically and

politically independent groups that shared common class interests.[15] And yet, going beyond Marx and engaging in a contextual reading of the Marxist texts, it is possible as much as it is imperative that the indigenous peoples' movement as that with a goal to preserve the 'sack of potatoes' consisting of culturally and politically autonomous peoples. The movement does not project institutional changes in the nation-state structure or in that of the international institutions; instead it seeks to ensure that the indigenity and issues arising out of that are recognized and protected.[16]

The theories that focus primarily on marginalization is not complicated enough to explain the rise, persistence, and character of the indigenous people movement. Economic, political, and cultural marginalization are major features of the environment of many indigenous peoples, but by themselves marginalization theories do not account for the emergence and successes of the indigenous people movement, or the resurgence of movements within some nation-states.

Indigenous people, meanwhile, do not necessarily form a racial group; there are many indigenous people within the modern nation state of India and the Lepcha people are one such indigenous people. And from the confines of the scope of this thesis, the Lepcha people contend and pose the issue of environment in the context of the Hydro power dam's construction in the Himalayan state of Sikkim; and their contestation and the mobilisation therein is expressed through the struggle/campaign, popularly known as the ACT movement.[17] The discourse, in this regard will also have

[15] Marx, Karl. "The Eighteenth Brumaire of Louis Bonaparte" (Peking, PRC: Foreign Languages Press, 1978), Pp.125-26

[16] Champagne, "Duane Rethingking Native Relations with Comtemporary Nation-States" *indigenous people and the modern state ed.* AltaMira Press, 2005

[17] Affected citizen of teesta (ACT) movement, the movement lead by Indeginous lepcha people of sikkim, ACT is one of the movement which turn into Lepcha and Dzongu centric movement at the last for the people of sikkim in mass, actually movement name itself clearly show that is not the lepcha and dzongu issue, it is about the environment and cultural movement. The teesta river

to be read through the larger mosaic, characterised by the location of this region in India – in the periphery – both in the literal and metaphorical sense of the term.

In other words, the region and its people have remained outside of the concerns and consciousness of the country's 'mainstream'.

Since India's independence in 1947, the northeast has largely been considered (if considered at all) as a security concern and in that sense a Frontier.[18] This approach or attitude has also caused the emergence of a dominant view, ideological in every sense, that perceive the region as largely a terrain for several 'separatist' movements; this perception or the ideology has also fed into the making of a consciousness that makes indigenous groups wary of any outside rule. However, the attitude towards the northeast started to change in the 1990s, when India began to see in the region as an important strategic concern in its relation with China. As a consequence, there was an ascendancy in the concerns for its 'development' in aspects other than defence and strategic.

Such a shift, raising concerns for 'development,' however, coincided with the rise of movements against dams and such campaigns/struggles in the region are perhaps most in numbers not only nationally but also globally. India's northeast, with the increased emphasis on construction of dams, has also triggered a large number of protests in the region. This makes it necessary to delve into the issue of movements against dams in the northeast India and with a view to theorise this.

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start from the north sikkim flow throughout the sikkim expalin my ACT President Athup Lepcha on 07.03.2017 at passingdong his house, he said that teesta flow from mountain to plain, in between the area different community people are livining around the teesta river beld, they have their own way of connecetion, similarly for the lepcha people river teesta and rangit its connection with lepcha mythology.

[18] Wangkheriakpam, Ramananda and Jiten Yumnam, "Insidious Financial Intrusions in India's Northeast", *Intercultural resources and forum for indigenous perspectives and action*, April 2006

This attempt becomes important in the wake of the State Government in Sikkim following a path of development that is almost parallel to that adopted by the state Governments elsewhere in India insofar as taking up various projects like roads, buildings, irrigation, hydro-power, etc are concerned and consequently Sikkim too has witnessed consequences similar to many such experiences elsewhere in the country; and this story has also been similar to elsewhere in terms of both success and failure of these projects. This has now reached a critical stage requiring an assessment of these projects, particularly in the case of dams.

The imperative for such examination arises not only to ensure that the benefits accrue to every section of the people in the state but also for a comprehensive understanding of their various aspects of the interplay between politics, culture and natural resources. It will, hence, be in order to discuss the resistance movements to dams elsewhere in the northeast; and we take the case of Manipur as an illustration here.

5.3 Resistance to Dams in Manipur

Pursuance of the policy of building large scale development projects, including mega dams, often land in myriad controversies, leading to widespread community resistance and their struggles. The 1980s has been a period of aggressive pursuance of large scale Hydel projects in Manipur. The 105 MW Loktak Multipurpose project,[19] the Khouga dam,[20] the Khoupum dam,[21] the Singda dam, etc.,

[19]"Dark sides of Lothak project come to light" source: the sangai express/Ng Liklailemima Arambam, 6 august 2010, http://www.e-pao.net/GP.asp/src=22..070810.aug10
[20]Khuga dam JAC pprises PM, the Sangai Express 26 July 2014, http://www.thesangaiexpress.com/page/items/41164/khuga-dam-jac-apprises-pm
[21]Farmers draw special attention on khoupum dam project, the sangai expres, 27 july 2014, http://www.thesagaiexpress.com/page/items/41210/farmers-draw-special-attention-on-khoupum-dam-project

are a few such projects in Manipur that were commissioned during the 1980s. Even the much controversial 1500 MW Tipaimukh Multi-purpose Hydroelectric project was also conceived and pursued around this period.

The 1990s, then witnessed expressions of severe criticism on mega dam construction from the social movements and civil societies; and the issues raised in all these revolved around the economic and environmental devastation caused to communities that live along the affected sites. The experience of the Loktak Multipurpose Hydroelectric project set the stage for the various struggles against mega dam construction in Manipur. The confluence of vibrant hydrological attributes within Manipur and the concentration of culturally diverse ethnic communities had become a combustible mix in the situation as the major river basins of Manipur had begun to attract infrastructural investments in the creation of mega-dams, with tacit promotion from the state.

The push for the mega dams in Manipur is also associated with a parallel process of increased resistance to the decision making process and subsequent impacts. As the government of Manipur signed four MoUs with North East Electric Power Corporation (NEEPCO), [22] also seeking investment from international financiers and further pushing for several mega dam projects all across Manipur, the voice of concerns and resistance to such projects became audible and lucid. In India's North East, more than 200 mega dams are being pursued by the Union Government with several already constructed on the Bramaputra-Barak River basin; most of these are financed by multinational corporations. These dams have already threatened the

[22]On 28 August 2014, four memorandum of Agreememt was signed by the government of Manipur with NEEPCO for the construction of the 60 MW Irang HEP, 51 MW Tuivai HEP, the 67 MW Khongnem Chakha and 190 MW Pabram HEP projects over rivers of Manipur hydroelectric power policy of 2012.

indigenous farming communities in the region by submerging vast tracts of agriculture land, wetlands and forest.[23]

It is in this context, that, of late, communities have expressed vehement opposition to the proposed Sengvai Dam and Chakpi Dam in the Chandel District, Khongnem Chakha Dam in Senapati District, etc. of Manipur. Resistance against mega dams is not uncommon in Manipur. It is important to note here that the struggles against mega dams simply are not merely environmental concerns, but also represent a resistance to the larger politics of domination and the politics of repression of the indigenous communities.

5.3.1 Controversial Dams in Manipur

Some of the mega dams are very controversial in Manipur; take for instance the case of the 105 MW Loktak HEP Project; the communities depending on the Loktak Lake have long experienced sleepless nights and witnessed hazardous events ever since the commissioning of the Loktak Multipurpose Hydroelectric project in 1984 by the National Hydroelectric Power Corporation (NHPC).[24] The fate of both the Loktak Lake and the communities are increasingly turning uncertain. The project not only submerged more than 83,000 hectares of prime agricultural land, displacing several thousand people, but also devastated the Loktak wetlands ecosystem leading to the extinction of several endemic plant and animal species.

[23]An assessment of dams in India's NE seeking carbon credits under CDM of UNFCCC by Jiten Yumnam published by the international Rivers, USA, March 2012. http://www.internationalrivers.org/resources/an-assessment-of-dams-in-ne-india-seeking-carbon-credits-from-clean-development-mechanism

[24]http://www.nhpcindia.com/Default.aspx?id=186&lg=eng&CatId=1&ProjectId=8 online avilable

Communities affected by the project are yet to be resettled and rehabilitated. The communities also underwent several moments of displacements and human rights violations due to military operations in Loktak Lake, such as Loktak operation in 1999,[25] Operation Summer Storm in 2008,[26] etc.

The peoples' resistance to the 105 MW Loktak project revolves around the continued violations of their rights and the abject lack of accountability of the project proponent, NHPC, as well as the recurring moves to corporatize the management of the Loktak wetlands. There are clear cut calls to decommission the Ithai Barrage of the Loktak HEP and to repeal the Manipur Loktak Lake Protection Act, 2006,[27] which has led to eviction of fishing communities and arsoning of their floating huts in the Loktak Wetlands. There are loud calls to ensure the NHPC accountable for the repeated instances of violation of the community's rights in the course of the project construction and commissioning.

Beside this, the 1500 MW Tipaimukh HEP,[28]is yet another project that has generated enough concerns and mobilisation against it. The Tipaimukh Mutipurpose Hydroelectric Project is a proposed dam over the Barak River in Manipur. The Union government has been aggressively trying to construct the 162.8 meters high rock filled Tipaimukh dam, at about 500 meters downstream of the confluence of Barak and Tuivai Rivers. The proposed dam, with a length of 390 meters, was originally

[25]https://lib.ohchr.org/HRBodies/UPR/Documents/Session1/IN/COHR_IND_UPR_S1_2008anx_Annex%20XXI_Operation%20loktak.pdf [accessed on 25.11.207] Operation Loktak (A Case study of Human Rights Violations) Report of Joint Fact Finding Team Prepared by: committee on human rights (COHR) Manipur.
[26]Ibid.; Operation Loktak (A Case study of Human Rights Violations) Report of Joint Fact Finding Team Prepared by: committee on human rights (COHR)Manipur
[27]MoEF (2006), Environment Impact Assessment Notifications, S.O.1533(E), Dated 14.9.2006, Ministry of Environment and Forest, Government of India
[28]http://epao.net/epSubpageExtractor.asp?src=news_section.opinions._on_Building_of_Tipaimukh_Dam.DAM_OR_NO_DAM [accessed on 21.11.2017]

conceived to contain floodwaters in the lower Barak valley but hydroelectric generation was later incorporated into the project.

Interestingly, the Tipaimukh dam project was approved, in 2001, when Manipur was under Central rule; thus, the approval was granted by the State's Governor and hence it was done without even the formality of obtaining consent from the peoples' representatives in the State assembly.[29] Subsequently, on 28th December 2002, the Manipur cabinet gave post-facto approval to the MoU signed between the Government of Manipur and the North Eastern Electric Power Corporation. A revised MoU was signed between the State Government, the National Hydroelectric Power Corporation (NHPC) and the Sutlej Jal Vidyut Nigam Limited on 28th April 2010; and this was reaffirmed on 22nd October 2011.

All these were done despite widespread opposition and also in the absence of taking the free, prior and informed consent of all affected communities. The two dam developers, the NHPC and SJVNL, to be involved in Tipaimukh Dam, have had extremely poor environmental accountability and human rights records from their previous projects, viz, Teesta Stage V HEP in Sikkim[30] and the Lower Subansiri HEP in Arunachal Pradesh and also in the 105 MW Loktak HEP project in Manipur.[31]

Opposition to the Tipaimukh dam centres around the massive displacement of river-based communities once the dam is completed. According to estimates by the

[29]Kamboj, Anil. "Strategic Analysis." *The Institute for Defence Studies and Analyses*. Vol.28,No. 4, (2004) pdf [accessed on 23.06.2017]
[30]wwl (n.d) Teesta Hydroelectric project, stage-v, project profile, http://oldwww.wii.gov.in/eianew/eia/casestudies/teesta%20hydroelectric/projectprofile.htm [accessed on 29.11.2017] and Verghese, B.G (2006) The Bounty of North-East Waters' in Syiemlieh, D.R.,Dutta,A. And S. Baruah eds.(2006) Challenges of Development in North-East India New Delhi: Regency
[31]Yumnam, Jiten. & Koijam, Pushparani. "Tipaimukh Dam Plan and Uncertainities in Manipur". (October 2014) Pdf [Accessed On 24.07.27]

civil society organizations opposed to the project, the size of the area that will be submerged is equivalent to 30, 860 hectares. This project will submerge 16 villages in the Barak river basin and will render 40,000 indigenous people landless. Within this submergence zone, an official estimation revealed, at least 8,000,000 trees and 27,000 bamboo groves will be submerged permanently by the proposed project.

The rich faunal and floral biodiversity of Manipur will be severely affected. The affected forest area is also the habitat of an extensive array of endemic animals such as the Royal Bengal Tigers, clouded leopard, hillock gibbons, slow Loris, Pig-tailed macaque, Himalayan black bear, capped hornbill, black panther among others. Apart from these, the submergence of an extensive area of forest land will aggravate the climate crisis in Manipur.[32]

The resistance against Tipaimukh HEP also revolves around the non-recognition of affected peoples' rights over their land and their right to free, prior and informed consent in the decision making. Indeed, the Union government, through its Ministry of Environment and Forest granted the environment clearance for Tipaimukh dam on 24 October 2008[33] despite the widespread opposition.

Another project that warrants mention and a brief discussion in the context of a prolonged peoples' struggle is the case of Mapithel dam of the Thoubal Multipurpose Hydroelectric Project. The Mapithel dam,[34] a 66 meters high and 1,034

[32]Yumnam, Jiten. Anassessment of Dams in India's Northeast Seeking Carbon Credit from Clean Development Mechanism of the United Nations Framework Conventin on Climate Change, Report by Citizens' Concern for Dams and Development (Imphal/Manipur) and International Rivers. 2012

[33]Tipaimukh Environmental Clearance in October 2008, Tipaimukh Multipurpose HEP Project (1500 MW) in Manipur &Mizoram state Environmental clearance-regarding: NO.J-12011/63/2006-IA.I, Dated: 24.10.2008, Government of India, Ministry of Environment and forests, Paryavaran Bhawan CGO Complex Lodhi Road, New Delhi

[34]https://ejatlas.org/conflict/mapithel-dam-manipur-india online avilable

meters long dam, was envisaged to irrigate upto 21,000 hectares of cultivable land, provide 10 million gallons of drinking water every day to a target region and generate power of up to 7.5 MW. The Mapithel dam was approved by the Planning Commission in 1980 and construction began around the early 1990s despite vehement opposition and resistance from the affected communities.

Opposition to the Mapithel dam, beginning from its inception stage/project planning stage, has spanned over three decades starting from the 1980s. The main reason that drove the opposition to the dam construction is the massive displacement of indigenous communities living along the Thoubal River and extensive land grabbing (both agricultural and forest land) that were the prime source of their livelihood and survival.

Notwithstanding this, the Government of Manipur commenced filling up of the Mapithel Dam reservoir from January 2015 onwards in a forceful attempt to commission the Mapithel dam of the Thoubal Multipurpose Hydroelectric Project by March 2016. The dam reservoir water rose rapidly, submerging close to 2000 hectares of forest, agriculture land, grazing ground and homestead land in the villages of Chadong, Riha, Ramrei, Thoyee, Senkai, Sikibung, etc. The submergence began without any concern for the life of the people and their livihood, unique cultures thriving along the Mapithel valley and notwithstanding the multiple violations involved in the entire dam construction processes. This further caused widespread resentment among the affected communities.

The Mapithel dam has already proved a nightmare among the indigenous communities in both upstream and downstream portions of the dam. The safety of the dam has never been questioned ever than before. Several environmentalists consider

this as a highly unsafe procedure; along with the submergence of vast expanse of forest, the dam, in their view, will also contribute to the threat of climate change in Manipur.

In the case of the Mapithel dam in Manipur it seems fraught with clear absence of adherence to best development standards, including India's own laws and other international human rights laws. Because the project proponent, the Irrigation and Flood Control Department (IFCD), failed to take the mandatory forest clearance and to take consent of traditional bodies of the affected tribal communities as required under the Forest Conservation Act, 1980[35] and the Forest Rights Act, 2006.[36]

Similarly, the recommendations of the World Commission on Dams and the provisions of the United Nations Declaration on the Rights of Indigenous Peoples[37], too have been violated.

The undemocratic nature of development, accompanied by extensive militarization and brute suppression of the indigenous communities in the process of construction of the Mapithel Hydro-electric Project has led to human rights violations, social division and conflict within the affected indigenous communities and brute forms of development injustice. Militarization tends to be the immediate response of the state in such situations, in order to suppress people public resistance; state officials

[35]Handbook of Forest (Conservation) Act, 1980 (With Amendments Made in 1980) Forest (Conservation) Rules, 2003 (With Amendments Made in 2004) Guideline & Clarifications, Government of India Ministry of Environment & Forest New Delhi http://wrd.bih.nic.in/guidelines/awadhesh02c.pdf [accessed on 12.o6.2017]

[36]Forest Right Act, 2006 Act, Rules and Guidelines, Ministry of Tribal Affairs, Government of India and United Nations Development Programme, India https://tribal.nic.in/FRA/data/FRARulesBook.pdf [accessed on 13.08.2017]

[37]The United Nations Declaration on the Rights of Indigenous People,: a manual for national human rights institutions ISBN: 978-0-9873578-6-1 (APF Print) ISBN 978-0-9873578-7-8 (APF Electronic) also avilable in online https://www.ohchr.org/documents/issues/ipeoples/undripmanualfornhris.pdf [accessed on 11.06.2017]

utilize archaic laws such as the Armed Forces Special Powers Act (AFSPA) of 1958 even against those demanding just compensation for their land that.

Such incidents underscore how democratic forms of opposition to development aggression are brutally disregarded by the state apparatus in order to protect their investments. And clearly show that, the repressive mechanism of the military and paramilitary forces, come as aids to the state to bend the regulations and laws in order to facilitate the construction of these mega dams.

5.3.2 Manipur in the post-Construction Stage

A brief look at the developments around the Hydel-projects in Manipur, from a long historical view, say from times when Manipur was still a kingdom, tells us that during the monarchical period, a number of small river courses and canals were found to have been dug up under the king's policy to prevent floods and preserve water for the dry seasons. These water courses and reservoirs are controlled by the smaller dams constructed with bamboo splits and woods, locally contributed by the villagers. [38] Such a system based on traditional knowledge of irrigation and agriculture, in each village, also involved the community in the maintenance and management of canals; by this, sharing of labour in digging canals, involvement of a large section of the farmers in such jobs provided a platform for the beneficiaries to co-operate in maintaining these dams and helped create an atmosphere of solidarity among the farming communities.

The modern concept of dams started emerging in the state with the coming of the colonial regime, rather after Manipur and other parts of the Northeast India was

[38]Mc Culloch. op.cit.p.2.

brought under the colonial yoke; more specifically with the arrival of hydro-power generation technology. It is this process that has shown a steady growth with the advent of industry as 'the' marker of development in the various parts of the country and led to oppression of the local community, even where these communities had alternatives, a point that theWorld Commission on Dams had foregrounded in the year 2000. Manipur, as a matter of fact, had already resorted to solar energy, more of the affordable, efficient smaller solar units by such time[39] and yet the energy solutions that were fraught with corporatization of land and rivers were pushed by the powers that be in Manipur beginning the 1980s.[40]

The peoples' protests against the dam in Manipur have been from the very inception of these projects. That the state pushed ahead with these projects with a vengeance laid the ground for the emergence of a number of organizations registering their protest against the Dam; these organisations, born as localised outfits across the northeastern states, have subsequently come together under the banner of the North East Dialogue Forum to launch a combined protest against the building of large dams in the region.[41]

These include the People' Movement for Subansiri-Brahmaputra Valley (PMSBV), Committee Against Tipaimukh Dam (CATD), Naga Women's Union, Manipur (NWUM), Naga People's Movement for Human Rights (NPMHR), United Naga Council (UNC), All Naga Student's Association, Manipur (ANSAM), Zeliangrong Students Union, Manipur (ZSUM), Zeliangrong Youth Front (ZYF) etc.

[39]Solar energy and its usages in manipur, Imphal free press, 11 january 2013 http://kanglaonline.com/2013/01/solar-energy-and-its-usages-in-manipur/

[40]"Dark sides of Loktak project come to light" source: the sangai express/Ng Liklaileima Arambam, 6 August 2010, http://www.e-pao.net/GP.asp?src=22..070810.aug10

[41]Bhattacharjee, Jhimli. "Dams and Environmental Movements: The Cases from India's North East." *International Journal of Scientific and Research Publications*, Volume 3, issue II November 2913, ISSN 2250-3153

The organizations, in due course, have petitioned the Central Government to shelve the Tipaimukh dam and submitted a memorandum to the Union Power Minister stressing that the dam was not conceived with the interests of the tribal people in mind. The petition further stated that the dam shall not be allowed to be constructed if it is inevitably going to destroy one section of society and demanded that till an informed public scrutiny of the project is not done,[42] the project should not be taken ahead. It also emphasised that the project, in the event it is cleared, should follow WCD guideline.[43]

All these said, it is necessary to note here that the movement against the dams in North East India, including in Sikkim, does not give a clear cut picture to make a final remark on its success or failure. It has been seen that despite the continuous protests there has not yet been a quitus to the constructions in the region. The protest by the affected people, meanwhile, turned into a political issue in Assam that in July, 2009, the Assam Legislative Assembly had to set up a multi-party panel to look into the impact of dam on Assam. This has been the same with Sikkim too during 2009;[44] and the 2014 Sikkim Legislative Assembly election, especially in Dzongu constituency, witnessed a similar story.

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[42] Demand made by *Citizens Concern for Dams and Development*

[43] Dams, Rivers and People update, SANDRP, February, 2003

[44] Statistical report on general election, 2009 and 2014 to the legislative assembly of Sikkim, published by election commission of India, NirvachanSadan, Ashoka Road, New Delhi-110001, the ACT movement start since 2004, the movement stay away from the politic in some point, however when 2009 Assembly Election happen Sikkim particularly in Dzongu constituency burning up with the Hydel project issue, Dzongu people become two groups anti and pro dams. An anti-dams groups stay away from the 2009 election camping not involved however they got the tag opposition party, Dzongu was boiling in the issue of dams Mr. TshenTashi Lepcha from Tatangchen, Gangtok, former minister he came as a independence candidate from Dzongu constituency, thou Mr. TshenTashi was not much familiar with Dzongu even he secured 372 ticket from Dzongu constituency as a independence candidate, might be that 372 vote cast by anti-dams people, because 2014 election mr.dawatsheringlepcha hunger striker of ACT he joins the politic and stood as an opposition candidate from Dzongu constituency, However he lost the election with 2443 tickets secured out of 7061 vote cast

Though some dam projects are decommissioned some are commissioned and whatever it is, it has generated a new consciousness about the value of land and environment in the minds of the people.

5.3.3 The State Aagainst its People: Army and Police against the Citizens

In India several provisions have been incorporated in the constitution to ensure the safety and promotion of the interests and rights of the Scheduled Tribes in various spheres so as to enable them to join the national mainstream. The Constitution[45]provides, by way of specific Articles towards this; Article 164 (1), for instance, provides for such special rights to the tribal people that in the states of Chhattisgarh, Jharkhand, Madhya Pradesh and Odisha, where they are in large numbers; Article 371 A, similarly, has special provisions involving tribal rights with respect to the state of Nagaland, Article 371 B is a special provision with respect to the state of Assam, Article 371C has special provisions with respect to the state of Manipur and Article 371F has special provisions with respect to Sikkim.

All these outline measures that are imperative for the protection, promotion and conservation of tribal community.

However, there have been numerous instances pertaining to these regions (as well as elsewhere) when in the name of conservation and development the tribal people are evicted from their spaces. In Manipur, as for instance, ever since the anti-dams protests began, the armed forces[46] have been used to repress even the non-

[45]National commission for scheduled tribes, government of India, http://ncst.nic.in/

[46] Information was taken from Mr. Jiten Yumnam, is Journalist, Human Right Advocate and Environmental Activist in the state of Manipur and he is a part of the group, central for research and advocacy Manipur (CRAM) on June 2016 at Mayal Lyang Homestay, he came for attending River for life workshop organised by ACT. The Armed Forces Special Act 1958, Manipur have been under the rule of AFSPA, in the early 1970s, the government informed local villagers of a

violent struggles that were well within the four corners of such rights guaranteed by the Constitution. The context of that resistance was in fact the unconstitutional means deployed by the Government of Manipur in launching the project without informing those to be affected of its impact.

The same is the case with the protests in Sikkim too. While the Affected Citizens of Teesta adopted the non-violent forms of protest against the Dams construction across the Teesta river, by way of submitting number of memorandums to such high offices as the Prime Minister of India, the Chief Minister of Sikkim and other concerned departments and ministries, the protesters came under repeated threats by the police and armed forces were deployed whenever the held peaceful rallies and similar such programmes. Large number of protesters were arrested even during the simple programme they had organised on 2nd October 2007 (under the leadership of the ACT), paying homage to Mahatma Gandhi, by garlanding his statue on M.G marg, in Gangtok. They were denied permission to do this.

Instead of ensuring protection to the tribal community, the state government repressed the voice of affected people. Similar cases happened with ACT members who were peacefully protesting against the Panan HEP Dam site at Linzya in upper Dzongu in North Sikkim in 2008; forty nine members were arrested and put in jail for as long as a month.

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project and of benefits that were apparently meant for them, there was no mention of actually building a dam, no free prior and informed consent was sought from those to be displace by dam, nor were the procedures mandated by Indian's land acquisition Act followed. 1980-89 construction began without proper guideline, heavy resistance from those affected by dam during 1990, unfortunately Manipur under control of AFSPA not only Manipur but most of the North east India as well as Jammu & Kashmir "disturbed" area declared by the state and central, it permit soldiers to make arrest without warrants and to fire, "even to the causing of death"

However, there has been a difference in terms of the intensity or the brutality of the repression in Sikkim as compared with that in Manipur. In Manipur, protesters were arrested and several were beaten up in lockup, while others given electric shocks, gunshots were fired at protestors and the atmosphere militarised; contingents of the Assam Rifles (AR), Indian Reserve Battalion (IRB) and the Border Security Force (BSF) were deployed all over in Manipur against the anti-dam protestors and there were a number of instances of human rights violation.

While in Sikkim, the state known as peaceful and green state, the repressive measures against the protestors in general and the activists of the Affected Citizens of Teesta were indeed peaceful too! There has not been an instance of the army or the para-military forces deployed in Sikkim hitherto. In Sikkim the people who are anti-dams have been painted as anti-development and activists holding government jobs are victimised through penal transfers; and those who aspire to government jobs are excluded systematically.

In other words, though the nature of repression in Sikkim is a shade different from that in Manipur, the politicalisation of the protest in terms such as anti-development and hence inimical to the interests of the state and its people is no less brutal. That the people in both Manipur and Sikkim are denied the rights they are guaranteed in a Democracy is never in doubt. The point is dissent is curbed in both these states and hence the experience is not too dissimilar.

5.4 The Complex Issue of Sikkim

Since the merger of Sikkim with the Indian union, in May 1975, the government has provided many safeguards for the people of Sikkim. Article 371 (F) of the Constitution is the most important protection given to the people of Sikkim, which reflects the spirit of the 8th May 1975 agreement[47] whereby the old laws and traditions of Sikkim are protected. Likewise, the north district of the state, situated in the remote and inaccessible parts of the region and inhabited by the aborigines of the state is further safeguarded by various provisions, the most prominent among them being the Notification 3069 which prohibits the settlement of non-indigenous people in the region. Further, the Dzongu area, which is inhabited primarily by the Lepchas, is a restricted area to safeguard the tribe there and the area beyond *Toong* to *Lachen* and *Lachung* are parts where eery traveller from elsewhere ought to obtain special permits to even enter there.

However, and despite all these, the gradual displacement of the population from here due to various projects in the name of national interest have led to a situation wherein the 'outsiders' now almost outnumber the local inhabitants. The consequent increase in the population has caused serious damage to the environment, demography, culture and religion of its people thus hurting the sentiments of the poor and docile populace and also endangering their survival in their natural habitat.

[47] Gazetteer of Sikkim, 2013 edition, ISBN: 978-81-920437-15 published by Home department Government of Sikkim gangtok .Pp.98. On the 8th may 1973, an all-party agreement was signed to hold another election and finally the election commission of India arranged for election in april 1974. Another important development was the enhancement of the number of seats from 24 to 32 and to abolish reservations by introducing joint electorate based on one-man one vote system. The tripartite agreement of 8th may 1973 was instrumental in changing the political system of the country. The agreement was signed at Gangtok between the government of India and the Chogyal and the leaders of the political parties concerned. It was decided that this should establish a responsible Government, which would guarantee fundamental rights to its citizens, with rule of law and an independent judiciary.

For instance, the people of Lachen, Lachung and Chungthang region have already lost 40% of their land in the hilly terrain to the Army and the Border Roads Organization. In fact, some of them have been rendered almost landless. The Armed forces and the Border Roads Organization not only brought in large number of labourers but also changed the name of lakes, ridges and the villages with impunity that the most holy Guru Dongmar lake was renamed as the Guru Nanak Jeel. Further, the holy stone (Leydo) complex at Chungthang was encroached and the name of Chungthang was changed into Changithang.

All the history connected with Sikkim's patron saint, Guru Padmasambhava, has been changed and attributed to Guru Nanak, thus erasing the factual history of the place.

Further, the most recent cases of neglect of the local population has been done by the NHPC, which executed the Rangit river hydroelectric power project and the Teesta hydroelectric power project Stage V. The NHPC, in doing these, have not only defaced the slopes of Kewzing but also changed the name of the place to Rangit Nagar. The diversion of the river there has consequently increased the temperature of the region and also obliterated the entire bio diversity in the catchment area; yet another consequence is the incidence of new diseases among the people here.

There have been blatant violations of environmental and forest laws in this project. In fact, the state government was compelled to file a case against the project proponent for the violations and this remains unresolved at the time of writing this thesis.[48] The project has resulted in serious impacts due to tunnelling which were not

[48] Violations galore, government unresponsive, in a submission made by Tseten Lepcha in his capacity as the then Honorary Wildlife Warden of North Sikkim to Jayanthi Natarajan in 8th October 2011, lepcha had contended that how the 1750 MW Demwe Lower by the Athena group

foreseen at the stage of studying the impacts of the project. The indiscriminate disposal of muck into the Teesta River resulted in the breaking dawn of the *Lum* Bridge which connected the *Lum* village in Dzongu with the rest of the world. There have also been severe health impacts at the project site. In spite of the condition laid down by the central government that labourers should be given work permits only after a full health screening and treatment for diseases, this has not been followed at the state level. Therefore, it has resulted in the spread of new diseases in the project area.

Due to the instances cited above and many more issues that have been brought about due to the carelessness of the implementing agencies of the various projects and inability of the regulatory bodies at the central and state level to safeguard the interests of the people, a fear psychosis and apprehension has been created in the minds of the people and there is a permanent dislike for large projects. Thus, there has been a grave damage caused due to implementation of these projects and issues of national interest too have arisen. In spite of all the concerns and fears of the people, the government of Sikkim has given its consent to build and operate 8 large hydro projects in the ecologically fragile and demographically endangered region of north Sikkim. This is in total disregard of the sentiments of the people of Sikkim. The government has never bothered to provide information and seek the free, prior and

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is being considered by the NBWL Standing committee for wildlife clearance, when a project by the same promoters (1200 MW Teesta III) is under construction in violation of Supreme Court orders (without wildlife clearance). The current NBWL report confirms that the 1200 MW Teesta III is under construction illegaliy, violation SC orders. In an earlier submission he had made to the NBWL standing committee on April 19, 2011 he mentioned violation of the WLPA (Killing of a Serow-Schedule I species) in the 1200 MW Teesta project being developed by the Athena group. The developer of the project, Teesta Urja Ltd (a special purpose vehicle of M/S Athena Pvt.Ltd.), through its sub-contractor, SEW Infrastructure Ltd, wsa involved in the death of a Serow (capricornis thar), a schedule I animal, at the project site on june 4, 2008. The wildlife clearance proposal of he 1200 MW Teesta III Project, within one Km of Khangchendzonga National park, submitted in February 2010, is still pending discussion in the NBWL Standing Committee. *http://gulail.com/hydro-power-projects-violating-sc-order-in-sikkim -nbwl-report/*

informed consent of the people. In fact the MoUs have been signed without the knowledge of the affected people and the Sikkimese public at large.

The cumulative impact of all these new projects envisaged on the Teesta and her tributaries together, particularly in the Lepcha Reserve of Dzongu, is likely to far exceed the impacts on local people than what has taken place so far by all the earlier projects.

5.4.1 Impact on Political Rights

There are also several other apprehensions such as the issue of the dilution of political rights of the people, which has not been addressed at all in the EIA report. Sikkim has experienced a situation wherein the work force that come in to work on the various projects have continued to stay in the state as it offers opportunities for work. This has affected the social, economic and political balance of the state and has put great pressure on the sparse resources and space within the state. The new entrants into the state also earn voting rights and thereby affect the political system here. The state of Sikkim has 32 Assembly seats and one each for the Lok Shaba and the Rajya Shaba. Out of the 32 seats, the Constitution provides for reservation of as many as 12 seats for the Lepcha –Bhutia community and one for the Sangha (Monks). This was done on the basis of the population ratio way back in the 1970s. Since then, the increase in the population of other communities, mainly due to development projects, has resulted in the questioning of the validity of the ratio of reservation of seats in the Sikkim assembly.

Any further increase of the voters will result in greater marginalization of the indigenous people of Sikkim. In the reserved constituencies, the increase in the

number of non-indigenous voters will defeat the very purpose of the reservation as once the majority in a constituency is constituted by non-indigenous people, the issue and concerns of the indigenous people is sidelined. The imbalance in the percentage of voters at the grassroot level is more severe. As of now, most of the gram panchayat/wards are constituted by small numbers of voters. Even a slight change can have serious implications on the political rights of the people at that level.

While looking into Dzongu in particular, the Dzongu assembly constituency is a reserved constituency where only Lepcha can represent. However, now due to the new reorganization/delimitation of the assembly constituencies and the possible setting up the Labour camps and staff colonies of the power projects, in the areas around Mangan, Tingchim and Mangshila will not only enable a non Lepcha representing this constituency thereby depriving the autochthon of the state from ever having a political voice in their own land. Meanwhile, not only the political right, but also law and order problem will arise.

The environmental and social impact assessment studies do not reflect on the possible law and order implications of such a mega project in a sensitive border region. Moreover, the very concept of a restricted area is defeated when such a large number of outside people are allowed to enter and stay in the area for a long stretch of time.

5.5 ACT against the Daming on Teesta River and its Tributary

On the flanks of the eastern Himalayas, Sikkim was a hereditary monarchy till 1975, when it merged with India to become the 22nd state of the country. The state shares its borders with Nepal in the west, Bhutan in the southeast and China in the

north. Sikkim is a land of dramatic contours with rugged mountains, deep valleys and dense forest consorting with glaciers, raging rivers and lakes and biodiversity hotspot. The crowning glory of Sikkim is Mt. Khanchendzonga, the third highest mountain in in the world; and the Khanchendzonga national park is located in this region.

The Khanchendzonga is much more than a mountain and is revered as abode of their guardian deity DZO-NGA, by the people here. It is home for a variety of plant species and animals, some of which today are threatened with extinction because of changes in the eco-system.

The ethnic composition of Sikkim, with the three main ethnic communities -- the Lepcha, the Bhutia and the Nepalease – along with the many "Plainmen" from different parts of the country settled here and a small community of Tibetan exiles makes the society a complex mosaic as it is. Lately, the state has witnessed a large infusion of migrant labourers, brought here to work on large hydroelectric power projects like the Rangit and Teesta HEP stage V, as well as the continued import of people by the Border Roads Organization. The ethnic Lepcha, majority of them living in the Dzongu, considered the cradle of Lepcha civilization, hold it as a region protected by various traditional and enacted laws to safeguard the land and the indigenous aborigines from exploitation and other hazards.

The culture, customs and traditions of the Lepchas are inextricably linked to their deep bond with nature; but changing times and modern developments have started disturbing the delicate eco-system with which they have lived so closely over centuries. However, in the initial days, ACT was also seen as a club of elitists who did not have the stomach for a protracted confrontation or connect with the masses which would be required to sustain a movement. Their romanticised ideas of development

and culture were projected as being out of sync with the more immediate aspirations of the people for "development" and where there was no room for emotions in the name of environment, culture and religion.

But ACT managed to take shape as a strong bulwark of the resistance against dams and this they carved out from not merely a Lepcha perspective by explaining the hidden significance of the Teesta and Rangit Rivers not only for Lepcha community but for Sikkim at large; the rivers are an integral part of the Sikkimese ethos.

Much of the folklore and traditional ways of life of the locals revolve around the mighty Teesta and the Rangit rivers. The river Teesta not only sustains the livelihood of the locals, by preserving and propagating the rich biodiversity which includes the cultivation of the state-wide main cash crop, the cardamom, but is also the very backbone of Sikkim's cultural heritage; the activists drew heavily from their folklore and mythology to establish themselves as protectors of a sacred place. They talked frequently about the environment, biodiversity, their culture, their traditions and their sacred relationship with their land.

Their protest narratives based on concerns that are environmental as much as that of sacrosanct. They draw from the past and are created in the present:

> Historically the Lepcha and the river Teesta and Rangit are mythologically connected; the Lepcha call themselves *Mutanchi Rong* meaning the beloved children of God. Their original ancestors, *Fodongthing* and *Nazong-Nyu*, the first man and woman were created by almighty God *It-Bu-Rum* from the eternal purity and the holy snows of the Kongchen-Chu, meaning Mt. Khanchendzonga as such, even to

this day, the Lepcha worship Knchendzonga as their Guardian deity. The story is woven around two lovers' Rangneet and Rongnue. Rangneet Symbolizes River Rangit and Rangnue symbolize river teesta, popular rivers of Sikkim. They used to meet in a place secretly. When their love was known to all, they offered salutation to the kanchen-chu (mt. Kanchendzonga) and decided to go down to the Plains. Rangit was led by a bird called *Tut-Fu* (Partridge) and Teesta by *paril-bu* (king serpent) who served as their guides and agreed to take them to *Pozok*, now known as *Pesok*, their promised trysting land or confluence through slopes of Himalayas meandering through the lovely valleys, thick forest and steep hills. From there they would travel together to the plains to the land of the unknown.

Rangit guide being a bird travelled through circuitous routes in search of food and thereby led him through many zig zags and thus reached vey late for their appointed tryst at *pozok*. As Teesta was guided by a serpent, she was led in serpentine was searching their destination long before their appointed time. There Teesta waited patiently for the lover Rangit. Who had arrived yet. When Rangit reached the promised place, *pozok*he was surprised to see his darling Teesta arrived there much before him. In surprise he uttered the words *Thistha,* Rangit was very much ashamed, vexed and also disappointed as being a male he should have arrived first and then waited for his darling Roungnue (Teesta) to take her down to the plains, the land of the unknown. But instead his darling had arrived first, so he decided to go back to the Himalayas, the land of his origin. At this time a very great flood occurred and

marooned all the people and living creatures. The people and the creatures all fled to the high hills and mountains and even then the flood rose and lapped them.

The flood waters went on rising up and even threatened to reach the top of the mountain, *Tungrong* (Mt. Tendong), even then to the surprise of all, the presiding deity in the form of a bird- *Kohom Fo* appeared on the top of *Tungrong*and prayed for subsiding the water by sprinkling *chi.* Miraculously the flood subsided saving the remaining Lepchas and other creatures. On the other hands, Rongnue loving wooed his lover Rangeet not to be vexed. She explained to him that he had been brought late to the trysting place due to the fault of the guide; therefore it was no fault of theirs. Thus Rongnue agreed to flow and Rangneet. Both of them decided to go down together to the plains from *pozok*.as such to this day in Lepcha marriage the tale of river Rongnue and Rangeet. The Lepchas wish the newly wedded couple a happy and prosperous life in future like the river *Rangeet* and the river *Rongnue*[49]

However, the river Teesta has glacial origins. The glaciers in Sikkim are located in the northern and north-western part of the Sikkim Himalaya. Apart from providing scenic beauty they are the water tower in the region and the controller of the hydrology and geo-hydrology and hence the water ecosystems in the region. They are the sources of all the perennial rivers and streams. Observations, by the geo-

[49] Creation story of rivers Teesta and Rangit and its important in Lepcha community as well as in Sikkim at large, the story collected from ACT President Mr. Athup Lepcha, Passingdang village dzongu on 20 june 2017 at his resident, Mr. Chopel Lepcha, founder member of ACT, from Hee-Gyathang Lower Dzongu on 29 june 2017, Mr. Kenchuk Lepcha shaman from Pentong village Dzongu on 12 july 2017, Mr. Sonam Tshering Lepcha from Kalimpong West Bengal on 02 December 2017.

scientists, of the Himalaya have led to the detection of various rates of glacial retreat in different parts of the Himalaya. In this connection it is observed that the Zemu glacier of north Sikkim has been retreating 8 meters per year while the Kanchendzonga glacier in north Sikkim is behaving differently from those of the adjoining areas in recent times.

The retreating glaciers are altering the hydrological regime in the Himalayan region and also pose environmental risks such as glacial lake outburst floods (GLOFS) and increased sedimentation. Therefore information on the glaciersand impact of climate change on them is critical to gauge the long term viability of dams in the Himalayan region.

5.5.1 ACT and the Story of its Anti-Dams Protest

Officially ACT was formed in July 2004,[50] but the idea of resistance against the dams had formed as early as in the early 1990s.[51] The initial reconnaissance was done by the Central Water Commission in 1974, even before Sikkim merged with India and observers noticed the tremendous hydel potential of the Teesta River. And within a decade from then, the State government proposed and sanctioned a number of hydro power projects in Sikkim for the national interest and development of state.

But then, things began to take a qualitative leap towards a huge thrust in such projects in the 1990s, especially after the shift in the Economic Policy beginning July 1991. It was in the 1990s that India as a nation began to stress on the combination of high GDP driven by industrial growth and emerge as a globally competitive economic

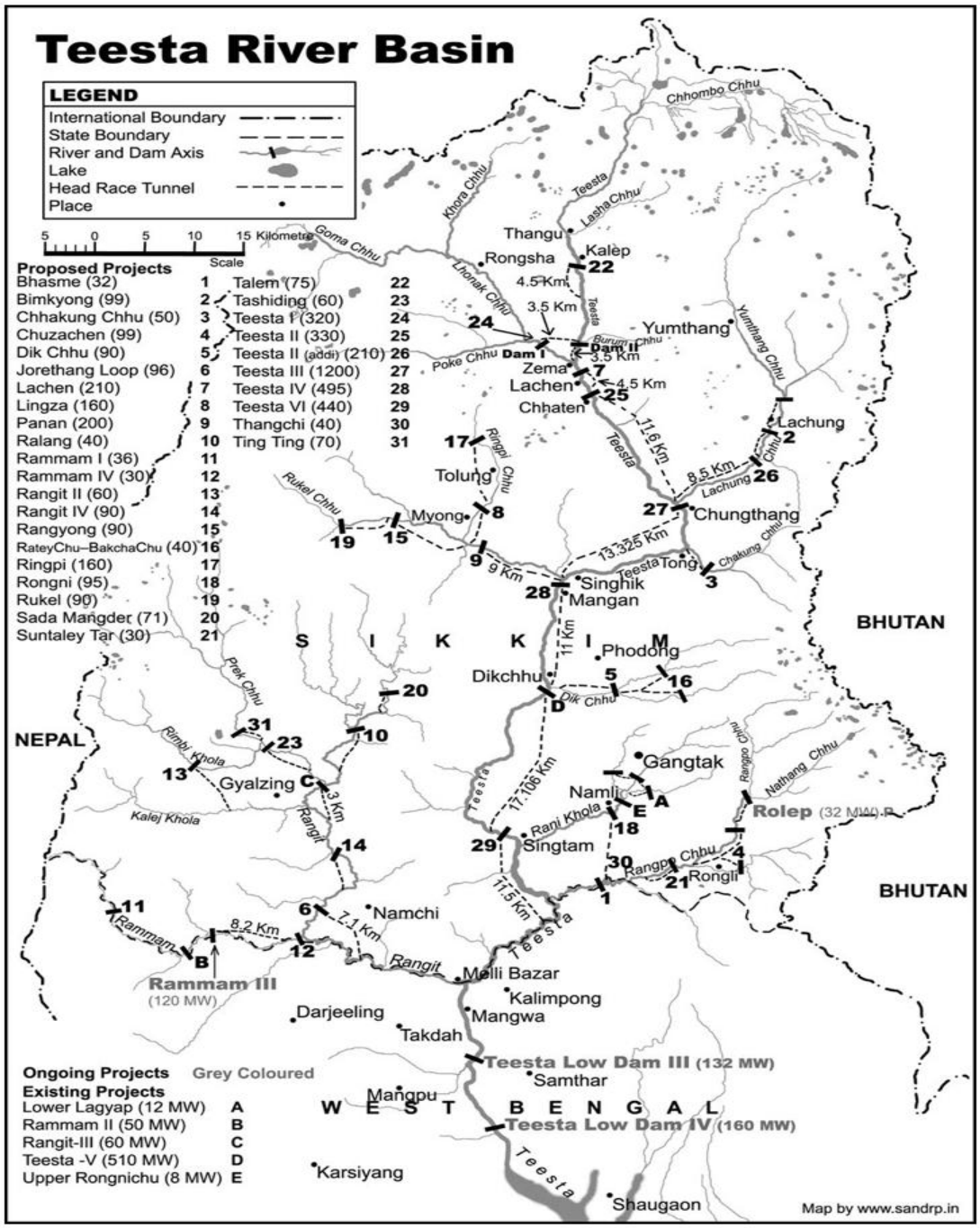
[50]ACT, Minutes of the meeting Register Record 2006, 2007 and 2008
[51]During the 1990 Mr.Athup Lepcha and his groups start mobilizing against the Dams issue, it was in Sikkim dams issue was inception, that group known as Salvation Council of Dzongu (SCOD)

power as the economic policy imperative. The ‘need’ to enhance the quantum of power generation to ensure this got foregrounded in this context as never before in independent India’s history.

Studies commissioned with this in view then put out that 77% of the untapped hydropower potential was located in the rivers in the North and Northeastern regions; and then came the policy makers, consultants and experts to recommend policy changes to allow for quicker processing of the Hydel project proposals in northeast regions. The Central Electricity Authority in its 2001 preliminary ranking study of the hydroelectric potential of river basins in India, identified 21 large projects (See Map 1 herein), in Sikkim alone to generate 3193 MWs power. Based on this study and in concurrence with the Prime Minister’s 50,000 MW hydropower initiative launched in 2003, the pre-feasibility reports for 10 of these projects were prepared in Sikkim.

Map. 1.

Detailed Map of Plan for Damming on Teesta and its Tributary:



Source: www.actsikkim.com

A public discourse against the Hydro power project and the policy arrived in Sikkim about the same time as in the rest of the north east and other Himalayan state in the year 2006; it was triggered by ACT's hunger strike in the capital city Gangtok, against the dams construction. The hunger strike was essentially directed against the hydel projects already announced for the Teesta-stage III at Chungthang in north Sikkim and stage IV further downstream at Singhik, near the north district headquarters Mangan, as part of the Teesta Hydro-Electric projects (HEP). These projects were scheduled for completion, according to the proposals, within the 11th five year plan (2007-2012).

5.5.2 ACT's Emergence as the Platform against Dams

After its formation in 2004, ACT was busy collecting documents and researching on the implications of Hydel activity. On June 8, 2006, ACT raised questions about the Environment Impact Assessment Report and the Environment Management Plan during the public hearing for Teesta Stage III held at Chungthang in north Sikkim; this voice of protest, however was drowned as it was still a minority voice with 80% of those present at the public hearing speaking in favour of the project; there was not even a faint reaction from the authorities at this public hearing to the issues raised by ACT. The project was cleared and later, the national environmental appellate authority also dismissed ACT's appeal against the public hearing.

Technically the Stage III Teesta project was located outside the Dzongu; and the fact is ACT's intervention was unsuccessful. However ACT had, even then, gathered mass as an organisation raising issues that appealed to the people within Dzongu. This was evident when the ACT organised blockade across the *Sankalang*

Bridge, leading to the Dzongu, when officials were to travel there for a pre-project survey, on 4th September 2006.

In the 2006 September public hearing held at *Namprickdong* for *Panang* HEP too, the majority present were content with raising the quantum of compensation as distinct from the ACT's concerns; ACT's volunteers were few in number and the venue kept under police watch for the entire duration of the hearing. This way the state managed to have the Panan Hydel project pass the public hearing. Meanwhile, ACT too had made its strongest presence yet there. Protesting against the Hydel project was a group mostly from Dzongu only, ACT now began focussing on building a resistance in the Lepcha reserve and on its borders; the want of adequate support from outside Dzongu in the Stage III and Stage V public hearings did not demoralise ACT; this, instead, led them to rework and re-group with lesson learnt. The stage now was Dzongu specific or people started calling it a Lepcha movement.

5.5.3 Shifting the venue to Gangtok: ACT's Hunger Strike in Gangtok

One of the largest movements against hydro projects in Sikkim was launched by the Affected Citizens of Teesta (ACT) resorting to the Gandhian method – an indefinite hunger strike -- that went on for 915 days. This was the strategy worked out on the basis of the lessons learnt during the various struggles against hydel projects in the region beginning the 1990s. ACT worked further on the ground rallying people around the anti-dam arguments for a while before embarking on the protest further and culminating in the decision to shift the venue to Gangtok.[52]

[52] Interview with Dawa Lepcha and Pema Ringzing Lepcha, on 20/012/2017, at they said that at beginning it was difficult for communication not like today no social media, no facebook, no whataap etc. Local newspaper not reached all the part of Sikkim, but fortunately Mr. Naresh Shrestha from Gangtok owner of Nettle n Fern Bar and restaurant create the blog

The effort here was to take the issue beyond that of the Lepcha/Dzongu identity. This, however, did not yield as much as was desired. Owing to the lack of resources and not so warm response from other parts of the state, to their efforts, ACT decided to concentrate north and especially on Dzongu. This part, after all, was where seven mega hydro projects were planned, covering the entire tribal area. However and in due course of time ACT's campaign began to draw support from groups outside the Dzongu such as the Sanga of Dzongu (Monks) organization, the Concerned Lepcha of Sikkim (CLOS), etc.

5.6 A Vital Role of the Sanga of Dzongu in ACT Movement

When ACT activists reached the capital city of Gangtok, the movement took a different shape and also a different mode of protest. In the start, three people -- Dawa Tshering Lepcha, Tenzing Lepcha and Rambo Lepcha -- sat on a hunger strike at BL House. As the Sanga of Dzongu (monks) organisation stepped in, with monks landing there at the BL House, led by Lekden Lepcha (Chambu), a new dimension got added to the campaign. Monks backing to movement rendered to it a religious perspective; the claim over the Dzongu as a sacred space for the Buddhist community and the sanga narratives lent to the campaign a dimension that destruction due to the project was not merely material but spiritual too.

The Tholung Monastry, in upper Dzongu is one of the oldest monasteries and above that is a sacred cave where the Guru Rimpoche is believed to have spent many days. The stories of Tholung entered the discourse as part of the protest narrative of

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www.weepingsikkim.blogspot.com blog given the different contribution to promote the movement in worldwide, through the blog lots of moral support got from national and international level so that state not easily suppressed the voice of affected people, however the blogger got lots of threaten from high authority too interview with Mr. Naresh Shrestra on January 21, 2018.

the Lepcha monks and then the activists and formed a core area of the argument presented to the government subsequently. Such kind of protests, indeed, is nothing new for Sikkim; similar protest movements had happened in west Sikkim in the mid - 1990s. That protest was also about the sacred space and also hydel power project. It happened to meet with success with support coming from the Lepcha and Bhutia communities of Sikkim and the monks from every monastery of Sikkim.

The aspect of sacred was not restricted in these cases to the Buddhist monks; it had to do with the indigenous priests *Mun* and *Bongthing*, for whom too Dzongu is a holy land for Lepcha community and the *Mun* and *Bongthing* have jointly looked the interest of the Lepcha people right from the time of creation and they are perceived as the ones who communicate with the guardian deities of land; *Mun* and *Bongthing* is a form shamanistic religion of Lepcha community.

5.7 The Crucial Role of the Concerned Lepcha of Sikkim (CLOS)

The Concerned Lepcha of Sikkim (CLOS) was essentially a students' organisation and was led, in the early years of the ACT struggle, by Mr. Gyatso Lepcha; interestingly he is the general secretary of ACT at the time of writing this thesis. CLOS, at that time, supplemented the ACT, whose core members happened to be from diverse backgrounds and yet had faced a limitation given their belonging to professions already; Mr. Athup Lepcha, then president of ACT was an advocate and politician already; Tsenten Lepcha was a social activist, Dawa Tshering Lepcha was an Ethnographic film maker, Sherap Lepcha, a professional footballer, Pemzong Lepcha was a Civil Engineer and Chopel Lepcha, a farmer and politician.

CLOS, led by a student, and then was an important link with the outside world and particularly the youth.

Meanwhile, Sangha of Dzongu (SOD)[53] played an important role in the movement; the scene of the monks performing ceremonies every morning and evening at BL House, where the hunger strike was on, praying for the strength of the hunger strikers and the wellbeing of the movement; with the monks from Dzongu making themselves present at the site of the hunger strike, the young monks in Gangtok too gathered there at BL House in large numbers. Similarly CLOS members, particularly students from north Sikkim then studying at the Sikkim Government College in Gangtok, the Government Law College and the various schools began gathering around the BL House; they added colour to the protest by wearing t-shirts on which were written such slogans as[54] SAVE TEESTA and Save NEY-MAYAL (Sikkim). These students also acted as couriers of messages to the various news outlets in Gangtok as much as they worked making posters at the site and elsewhere. CLOS, thus, played a very significant role in taking the struggle to new domains.

It were the CLOS members who took ACT to the nooks and crannies in Gangtok and elsewhere through their t-shirts and in due course travelling into the interiors of Sikkim and with them the slogans, the ideas and the arguments that ACT had put across only among the affected people in Dzongu. While the activities of the SOD were confined to the religiosity and such symbols, CLOS introduced a new dimension to the protest: Secular, silent and more discursive. It may be stressed here that both CLOS and SOD remained integral to ACT's campaign.

[53]Sanga of Dzongu, President Lekden Lepcha, presently head monk of Passangdong monastery, he explain all the details of SOD activity during the ACT movement on 19 June 2015 at his residence Passingdong Dzongu

[54]T-shirt was sponsor by Tashi wongchuk Lepcha from Nandok village east Sikkim

An important event insofar as the contribution of CLOS to the campaign was when its activists gathered as many as 21 affected land owners, most of them from Sakyong village in upper Dzongu, to the site of the protest in Gangtok to testify. CLOS also altered the discourse by way of raising questions on the moral authority of the older generation to sign away lands. Some members of CLOS even went to hold that the tension in the Dzongu, if left un-attended, could lead to spilling of blood as well.[55] Yet another important feature of this phase was ACT's decision, consciously, to keep political outfits from the electoral arena at an arm's length; this, notwithstanding the fact that social organisations headed by political leaders coming together to form an umbrella organisation by the name of SAFE (Sikkim Associations for Environment) to support the ACT- led protest.

An array of organizations came out extending support to ACT on July 11, 2007; among those were the Lepcha youth from the Darjeeling district of West Bengal, led the Rong Ong Prongzom (lepcha youth organisation). This solidarity action was marked by a blockade of the national highway 31A, connecting Sikkim with the rest of India, at the West Bengal side of Melli, a few miles away from Rangpo. The protestors from Darjeeling were clear that their support was only for the struggle against the Hydel projects proposed for Dzongu, which they saw as the last bastion of Lepcha culture.

Even while ACT's struggle was at its peak, its supporters were drawn essentially from Dzongu and from among the Lepcha community only. And even within Dzongu there were strong divisions in the community between those who supported the dams and those who opposed it. As for instance, on 21 July 2007, when

[55] Wangchuk. Pema, "Lepchas and their Hydel Protest." Bulletin of Tibetology volume 43 No.1 `and 2 (2007): P.33-58

the struggle was on in Gangtok, more than 400 pro dam persons drove into Gangtok from Dzongu to call on the Chief Minister to submit a memorandum in support of the Panan hydel project. This was a counter-move in the wake of the solidarity support to the anti-Dam movement coming from Darjeeling. ACT, at this stage, went about reiterating its own arguments against the dams in the legal, environmental and livelihood contexts rather than getting couched in the religious and holy-land premises; this was intended to prevent the movement being rendered into a communal one.

This strategic distancing of ACT from the groups that came in solidarity with the struggle served two distinct interests. While ACT stayed clear of such identity politics and thus held ground with its own arguments against the dams, the groups that raised support and solidarity kept mobilising on grounds that were closer to religion and identity. An illustration of such parallel mobilisation or working in tandem was when a group of 42 Lepcha youth from the West Bengal entered Dzongu to pay homage to the spirits in the Dzongu holy land was chased away by the pro hydel lobby.

Apart from support from such outfits in Kalimpong, the high point of ACT's struggle was a visit by Medha Patkar to the BL House at Gangtok where the hunger strike was on. It was in this context and with pressure mounting from several quarters that the State government showed signs of giving in. On June 12, 2008, the secretary, Power and Energy Department, Government of Sikkim, wrote to the ACT President informing him that the state government had decided to scrap four hydel project proposed for Dzongu. This was a first give in and in that sense a victory for ACT. The success was remarkable for ACT.

With this, four out of the six proposed projects in the Dzongu were being scrapped. It will be interesting to stress here that of the State Government was forced, by the struggle, to scrap a number of the projects that were proposed in the years since Hydel-power came into its agenda a decade ago. Data in the following Table (Table V – 1) will give a clear picture of the same and in some sense an indicator of ACT's success or achievement in preventing environmentally destructive development in Sikkim.

Table 5.1

Details of hydropower project scrap in Sikkim

Name of Project	Location	Implementing Agency	Capacity	Remarks
Upper Rolep (Tshangchu HEP)	East Sikkim	Cosmic Infrapowergen Pvt Limited	30	MOU/IA terminated due to non performance of the developer on 24.09.2016
Ting Ting HEP	West Sikkim	T.T.Energy Pvt Ltd	99	Project cancelled vide Govt. Notification Ni.12/Home/2012 as milestone as per MOU not achieved.
Lethang HEP	West Sikkim	KHC Lethang Hydro Project Pvt Ltd	96	Project not granted clearance by National Wild Life Board, Gol. Project cancelled vide Notification No.12/Home /2012
Lingza HEP	North		120	Project cancelled/not taken up as these area fell within

	Sikkim			Dzongu area and in the vicinity of Kanchenjonga National Park.
Ravangla HEP	North Sikkim		80	Projects cancelled/not taken up as these areas fall within Dzongu area and in the vicinity of Kanchenjonga National Park.
Rukel HEP	North Sikkim		33	Projects cancelled/not taken up as these areas fall within Dzongu area and in the vicinity of Kanchanjonga National Park.
Ringpi HEP	North Sikkim		320	Projects cancelled/not taken up as these areas fall within Dzongu area and in the vicinity of Kanchanjonga National Park.
Rathangchu HEP	West Sikkim	State Government	30	Projects scraped due to Religious sentiments.

Rolep	East Sikkim	Amalgamated Trans Power India Ltd. (APTIL)	36	A arbitration case is underway with the M/s Amalgated Trans Electric (India) Power Ltd. (ATPIL). The projects allotted this company in 2002. The arbitrations proceeding were completed on 7/5/2017. Application has been filed challenging the award of the arbitrator.
Ralang	South Sikkim	Amalgamated Trans Power India Ltd. (APTIL)	40	A arbitration case in underway with the M/s Amalgated Trans electric (India) Power Ltd.(APTIL). The project was allotted to this company inn 2002. The arbitration proceedings was completed on 7/5/207 and final award pronounced on 30/09/2017. Application has been filled challenging the award of the arbitrator.
Chakhungchu	North Sikkim	Amalgamated Trans Power India Ltd (APTIL)	50	A arbitration case in underway with the M/s Amalgated Trans electric (India) Power Ltd.(APTIL). The project was allotted to this company inn 2002. The arbitration

				proceedings was completed on 7/5/207 and final award pronounced on 30/09/2017. Application has been filled challenging the award of the arbitrator.
Lachung HEP	North Sikkim	Lachung Hydro Power Pvt Ltd.	99	Projects was terminated as milestones could not be achieved DPR could not be prepared as survey & investigation of the Project could not be carried out even after 4 years of signing of the MOU/IA due to local resistance. MOU/IA was terminated by the Govt. on June 2012. The developer in the High Court of Sikkim challenged terminated order of the projects. As per the directives of the High Court new times lines up to 2018 has been given to the promoter for the development of these projects.

Bhimkyong HEP	North Sikkim	Teesta Hydro Power Pvt.Ltd.	99	Projects was terminated as milestones could not be achieved DPR could not be prepared as survey & investigation of the Project could not be carried out even after 4 years of signing of the MOU/IA due to local resistance. MOU/IA was terminated by the Govt. on June 2012. Terminated order of the projects was challenged by the developer in the High Court of Sikkim as per the directives of the High Court new times lines up to 2018 has been given to the promoter for the development of these projects.
Bop HEP	North Sikkim	Chungrhang Hydro Power Pvt.Ltd.	99	Projects was terminated as milestones could not be achieved DPR could not be prepared as survey & investigation of the Project could not be carried out even after 4 years of signing of the MOU/IA due to

				local resistance. MOU/IA was terminated by the Govt. on June 2012. Terminated order of the projects was challenged by the developer in the High Court of Sikkim as per the directives of the High Court new times lines up to 2018 has been given to the promoter for the development of these projects.
Teesta Stage-II	North Sikkim	Him Urja Infra Pvt.Ltd	330	Project survey & investigation works could not be undertaken due to opposition from Lachen Dzumsa. The project was revised & approved for implementation under 150 MW. The LoI for the revised capacity had been issued on 17.09.2012. However due to non-performance of the development the project has been withdrawn from Him Urja Infra Pvt.Ltd. and termination letter issued on 20.09.2016.

Sada- Mangder HEP	West/South Sikkim	Gati Infrastructures Ltd	71	MoU/IA terminated due to non-achievement of the stipulated millstone by the developer on 20.09.2017
Santavtar HEP	East Sikkim	Moser Baser Electric Power Ltd/Shreya Power Pvt Limited	40	DPR prepared and completely by CWC and submitted to the Energy & Power Deptt. Due to non-performance of the developed the LoI has been terminated on 20..2.2017
Kalez Khola-I HEP	West Sikkim	Cosmic Infra PowerGreen Pvt Ltd	27.5	MOU/IA terminated due to non-performance of the developer on 24.09.2016
Kalez Khola-II HEP	West Sikkim	Pentacle Power Pvt Ltd	54	MOU/IA terminated due to non-performance of the developer on 20.09.2017
Manual and Mangan	North	Higen	30	MOU/IA terminated due to non-performance of the

	Sikkim			developer on 20.09.2017
Upper Rolep (Nathangchu)	East Sikkim	Cosmic Infra Powergen Pvt	30	MOU/IA terminated due to non performance of the developer on

Source: Energy and Power Department, Government of Sikkim and Department of Economics, Statistics Monitoring and Evaluation, Government of Sikkim

By way of conclusion, we may say that ACT, since 2004, had been agitating against the Government and the large hydro corporations in a bid to have the proposed mega dams in Sikkim cancelled., ACT activists had been opposing the dams on many grounds such as ownership of the commons, tradition, culture, religion and concern for the environment. However, during 2007-09, the ACT movement came to be held as a Lepcha or Dzongu centric movement; this, in fact, was the outcome of a strategic decision by its leaders to sustain the struggle and in that sense was intended due to necessity.[561], because most of the ACTs supporters are from Dzongu only. Even the Lepcha Association from Dzongu and other Lepcha associations from the rest of Sikkim did not come out, then, to support ACT. And it was this context that took the leaders to couch the struggle into a religious and Dzongu specific movement. This strategic shift helped sustain the struggle and even ensured its victory as discussed earlier in this chapter.

However, after 2009, ACT has been involved and consistently been there raising a host of environmental issues and laid more focus on organising awareness programmes on land, river and environmental and participating in workshop and seminars regarding dams and environment in the national and international level. ACT has, in these years, established organisational connections and links with protest movements aagainst dams and other environmental issues across the nation and also outside at the international level. ACT, as it is, is now a movement that is recognised

[56] Personal interview with Mr.Athup Lepcha President ACT, Tshenten Lepcha and DawaTshering Lepcha they are the decision maker of the movement and core member of the ACT. They said for the sake of movement sustain they take the decision towards Dzongu issue at the same time supporter from the west Bengal Lepcha Association also take a part of relay hunger strike at Darjeeling tawn and Kalimpong town for support the ACT movement, even the ACT not got any support from Sikkim Lepcha Association and other community too, thou ACT movement was not only for Lepcha but the issue make politicize by some people that other community also not supporting the Movement.

by similar movements across the world and in the forefront expressing solidarity with similar struggles elsewhere.

This is true within Sikkim too. ACT is in the field, now, as a prominent player in campaigns against environmental degradation and sustainable development. The assertion of indigenous identity and rights is informed by deep cultural, institutional, and self-governmental issues and aspirations. Consequently, the policy makers need to develop or understand the theory and policies of nation state groups that systematically includes and gives understanding to indigenous people's needs and points of view, and give weight to the negotiation of common cultural and political ground, and establishment more consensually democratic relations among indigenous peoples, nation-state, and international civil society. ACT has succeeded in taking the discourse on development to this in Sikkim.

Chapter 6

Effect of the Movement in the State and its Electoral Discourse

6.1 Introduction

In order to understand and place contemporary issues and problems in perspective, it is necessary to discuss relevant historical and economic developments as well as the laws and the legal system relating to the preferential policies in Sikkim. This is important, more so, in the context of Sikkim's association with India; in other words, the fact that it remained a kingdom held as an Indian protectorate for at least 28 years after India came into being as an independent nation and soon after as a Republic in January 1950.

In doing so here, it must be stressed that the attempt is not to write an extensive history of Sikkim, but only to highlight the circumstances and developments that are of importance in their meaning from within the scope of this thesis. That history also has many faces and can be interpreted and used in different ways to arrive at different theories and interpretations; and this chapter is intended to engage in one such attempt that is considered relevant to this thesis.

There are various theories that seek to explain the emergence of a certain feeling in the region of communal nationalism and its manifestation in the anti-Dam protests that has been discussed elaborately in the chapters hitherto. Scholarly consensus, however, is that these – the development discourse articulated both from the side of the pro-Dam arguments as much as those against the Dams -- is that it is rooted in the functioning of modernity.

This is to say, before the beginnings of industrialisation, people were more loyal to their tribe, their own religious and their own world. And until we reach the beginning of the 'modern world', the idea of anything like a 'nation' or a 'state' really wasn't a concept that made sense. However, when viewed from the point of the social and political forces, as strong as these forces are and may appear, in the apparent, as binary opposites of modernity, the experience is that the force of modernity also summons this raw consciousness of nationalism into communal mobilization with far greater degree of intense expression.

In the context of the North-East, as a region, nationality or the sense of nationalism is a very complex issue,[1] which leads to the many tribal movements in the north east region and thus integrate themselves into the discourse of protest either way, for or against 'development'. As for instance, under the Sixth Schedule of the Constitution, provisions were made for autonomous administration for some of the tribal communities to preserve and protect their identity, culture and to ensure development through self-rule; however, a similar arrangement, more or less, sans such protection to such autonomy under the Sixth Schedule – Article 371 F – as such could not contain the ethnic aspirations of the tribal communities in Sikkim.

The fact is that a strong sentiment of tribal nationalism, based on their ethnic identity, had begun to emerge in Sikkim earlier than the state being brought within the constitutional scheme (in other words the merger of 1975) during 1960 and 1970s, when the last Chogyal, or the king of Sikkim, Palden Thondup Namgyal,[2] and others

[1] Dewri, Dadul. *Tribal Ethnic Nationalism in Assam and the Emerging Challenges*, IJHSSI, ISSN (2018): (online): 2319-7711, ISSN, (print): 2319-7714, www.ijhssi.org\\volume 7 Issue 04 ver. III\\April. 2018\\PP.01-05

[2]The twelfth and the last consecrated king of Sikkim on December 1963, regime of Palden Thondup Namgyal, it seem the era of transforming in every field of Sikkim like Health, education,

led domestic efforts to create and shape a national identity for the kingdom, namely embraced by the multi-ethnic people of Sikkim and accepted as the the foundation for a collective interest.[3]

As Eric Hobsbawm and Benedict Anderson argue, that national identity is "invented" or "constructed",[4] usually directed by the educated elite and that it serves to advance the interests of the nation and encourage allegiance to it. If we look at the early stages or the incipient nationalism in Sikkim, we may notice its distinct arrival in the 1970s. Given its origins and the context -- the changed political circumstances in Sikkim during this time – there is a consensus that the Sikkimese people continue to imagine and assert their unique identity from within a framework of the Indian union.

However, the Lepcha, considered as the one of the indigenous and oldest communities of Sikkim, have ended up not only as a minority in this period but the Lepchas also perceive the domination of their people and their culture by the Bhutias and the Nepali people; while the Lepchas being overwhelmed by the Bhutias is perceived as having begun in 1642[5] with the introduction of Buddhism into the

industries and agriculture etc. at the same time Sikkim loss the own Sikkim nationality or identity , Gazetteer of Sikkim, 2013 edition. P.94

[3]Seattle Jackie Hiltz. "Constructing Sikkimese National Identity in the 1960s and 1970s," *Bulletin of Tibetology*, Volume 39 No.2 (2003)

[4]Eric Hobsbawm and Terence Ranger, Eds, the invention of tradition (Cambridge: Cambridge university press, 1992), Eric J. Hobsbawm, Nations and Nationalism since 1780: Programme. Myth reality (Cambridge: Cambridge university press, 1990), and Benedict Anderson, Imagined communities: Reflections on the origins and spread of nationalism (London:verso, 1991)

[5] It say that the modern history of Sikkim begins from the year 1642 with the consecration of the first prescribed Chogyal who initiated the process of the formation, according to the gazetteer of Sikkim 2013 edition, p.71 cite that, setup like any other post medieval society which had its roots in feudalism. With the establishment of a defined geographical boundary, administrative setup and military institution, the Chogyal now reigned as a sovereign authority with a strapping support from the kingdom of Tibet

Lepcha world, the Nepali peoples' arrivals since 1860,[6] facilitated and organised by the British colonial rulers, is as much a part of this discourse in the present.

There is, then, the legend of the blood brotherhood treaty between the Lepcha chief, *Thekong Tek*, and the Bhutia[7] chief, *Khye Bumsa*, being a story about the formation of the kingdom of Sikkim and the coming together of two tribes. There are, as is normal, two perspectives to this legend or the story: For the Lepcha, it is about loss while for the Bhutias it is about gains. Today, this story is found among the litany of traditional folktales as much as it is a part of a political narrative; as for instance, when threatened with some new policy by the state, both the Lepcha and Bhutia unitedly throw up the 'first person' theory through this story.

Yet, it must be held that the multi-ethnic and multi-religious nature of the society notwithstanding, there has been cohesion among Sikkimese subjects and this cohesion is anchored to the mountains, river valleys and all things natural.

Nationalism or national identity, in Sikkim, is embedded in the cultural systems, such as dynasty or religious structures[8] rather than in institutions of modernity as in some other cases. Before Sikkim's merger with the Indian union, one could argue that most Sikkimese, no matter what their background, were commonly attached to Sikkim as their homeland through their veneration of Mount Kanchendzonga or the guardian deity said to reside within the mountain. Although

[6] Due to the British interest to promote their commercial network that the construction of roads and bridges of modern standard was undertaken in Sikkim, British India extending the road to Tibet through Sikkim, during that time from Darjeeling and Nepal, lots of Nepali labour migrated into Sikkim

[7] Here term 'Bhutia' used instead of 'Tibetan', according to Sikkim history *Khye Bumsa* from Tibet to meet Lepcha chief Thekong Tek, so *Khye Bumsa* obviously Tibetan

[8] Anderson write, "what I am proposing is that nationalism has to be understood by aligning it, not with self-consciously held political ideologies, but with the large cultural systems that preceded it, out of which as well as against which it come into being," p.12 .

many Nepali Sikkimese practiced Hinduism, they felt a strong allegiance to the *Chogyal* because of the ingrained Nepalese tradition of honouring their ruler; there was also a constant reminder of their home in the shared landscape, if not shared tradition of Sikkim, the eastern Himalayas.[9]

However, after the 1970s, the demographic shift in Sikkim and the making of the Sikkimese national identity, mediated somewhat by the campaign for Sikkim's merger into the Indian union, also threw up issues such as ethnic and linguistic differences, the slogan of sons of the soil and even secessionist tendencies. And these had to be negotiated and resolved from within the confines of the changing status of Sikkim Vis a Vis the Indian Union: From being a protectorate to an associate state and eventually to a full-fledged state of the Indian union and all these in less than half a decade.

After the merger, a new political system, characterised by a democratic setup was introduced in Sikkim. A unicameral legislature -- legislative assembly -- was brought in place and a parliamentary form of government was adopted.[10] Sikkim was accorded with a special status with Article 371(F) to ensure protection of the identity of the Sikkimese people.

This sylvan part, however, is not all that has to do with Sikkim and modernity. Sikkim's location, in the geographical as much as strategic sense, being an international border state, lent its own imperative. The Union Government initiated a

[9]Anna Balikci Denjongpa, "Kanchendzonga secular and Buddhist perceptions of the Mountain deity of Sikkim among the lhopos," Bullentin of Tibetology 38 (2) November 2002. She write, 'Dzo-Nga played an important role as a national symbol and it is said that all ethnic communities, whatever their origins and whether Hindu or Buddhist, used to recognized and worship kanchendzonga if they considered themselves first and foremost as sikkimese,'p.2

[10] Kharel, Sunita and Bhutia Jigme Wangchuk. *Gazetter of Sikkim* 2013 (edition): Pp. 99., Mr. BB Lal assumed the office as the Governor of Sikkim on May 16, 1975 and Kazi Lhendup Dorji khangsarpa was appointed as first elected chief minister of Sikkim

lots of developmental work in Sikkim, basically bridges and roads construction; and these were left to the para-military agencies such as the Border Roads Organisation (BRO) and the General Reserve Engineer Force (GREF). The rapid pace of this developmental work brought a substantial influx of population from elsewhere employed, including casual labour force, in these works and this triggered panic among the people in Sikkim.

In the pre-1975 era, the national identity building project in Sikkim was caught in several warps; the kingdom with a Bhutia as royal constituted the Nepali people who were the majority in absolute terms; the anti-Monarchy campaign, which was in some small element also a campaign against feudal privileges and thus against the Chogyal and his feudatories raised its own dynamics involving ethnic and identity concerns that was sometimes in conflict with the Chogyal's perception of a Sikkim national identity.[11]

This, however, would not happen eventually given the material conditions that lent itself to a division wherein the lines were distinctly drawn between the three major communities that is Lepcha, Bhutia and Nepali. This reality led to the mushrooming of a number of individual community associations[12] within the small area of Sikkim. All these also laid the foundations for a fear or a sense of insecurity that the native elite could articulate among its people of influx of population from outside and consequently the damage it would cause to the fabric and its people. [13]

[11] Chogyal of Sikkim, wanted own National Identity (Lepcha, Bhutia and Nepali)
[12] Association like Lepcha Youth Association, Bhutia Association, Limbo Association and other
[13]Pre- merger people are under monarchy no way to speak up no freedom of speech, when Sikkim become under the Indian democracy give them a right to freedom of speech and might be lots of influx as a labour and business settle down in Sikkim so that they feel insecure

The sentiment of a Sikkim National Identity[14] was rather overwhelmed, in this stage, by that of sentiments around the various communities and in some sense the discourse was about securing the rights of one over the domination of another. As for the Lepchas, in this context, the elite within was content with raising the demand for teaching the Lepcha language in schools until Class XII as much as it sought to counter the use of Nepali language; and the Bhutia community raising similar demands.

This, indeed, also reflected the pattern of employment in the echelons of the administrative structure. The pattern, since 1966, was one where most of the lower level governmental administrations were being filled by Nepali and higher ranks in the bureaucracy filled by members from the elite sections of the Bhutia-Lepcha community. This, in fact, led to the making of a community consciousness among the three pitting one against the other rather than the making of a Sikkimese national identity as attempted by the Chogyal.

6.2 The Political Set Up in Sikkim and the Internal Struggles

Monarchy in Sikkim lasted 333 years beginning 1642; and it was the Namgyal dynasty, consisting a succession of 12 Kings, that ruled Sikkim all the while before it was brought to an end in May 1975. Meanwhile, it is important to see the end of Monarchy in May 1975 as the culmination of a process influenced by the developments around the kingdom of Sikkim in the early half of the twentieth century; by this we mean the struggle for national liberation in China in the North and India in the South of Sikkim. The trajectories of both these – communism and the revolutionary transformation in China (in 1949) as much as the democratic revolution

[14]Sikkim National identity, term use here is Sikkim as whole not an individual community

and constitutional scheme in India (since 1947) – exerted a huge impact on the political process and making of the national identity in Sikkim.

This trend aroused political consciousness in Sikkim[15] leading to the formation of political platforms such as the Sikkim State Congress in 1947. It is pertinent to recount the three main demands it put forward right at its inception: Abolition of landlordism, formation of a popular government and Sikkim's merger with India.[16] From the beginning this party was thus against monarchy and the position of the Chogyal. Its members began to mobilise the people of Sikkim and especially gained popularity among the Nepali population, predominantly the tenant farmers, by now.

Alarmed by the success, the crown Prince, Palden Thondup Namgyal, orchestrated the formation of the Sikkim National Party; this was the second political party to be founded in Sikkim and was directly a reaction to the Sikkim State Congress. This party was mainly backed by the feudal groups and the clergy, namely the lamas from the monasteries and thus distinctly status quoists of the Chogyal regime.[17] Quite naturally this party's objective was to preserve Sikkim as an independent entity and separate from Republican India as demanded by the Sikkim State Congress even while it sought association with India (as against the threat of being swallowed up by China) through a special treaty. In other words, they wanted to maintain the status quo as in preserving Monarchy (against democracy and the Republican form), a feudal set-up as against distribution of ownership rights over land to the peasant and preserving the monastic control over the political regime.

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[15]Singh, O.P. *Strategic Sikkim,* B.R Publishing corporation 461, Vivekanand Nagar Delhi, (1985)
[16]Bentley. Jenny.*The Lepcha Cause, Lepcha identity and issues in the village communities of Nampatam and Lingthem and the Lepcha association of Sikkim,* Unpublished Master-Thesis of Cultural Anthropology, philosophical faculty of the university of zurich, 2007
[17]Bentley, Jenny. *The Lepcha Cause, Lepcha identity and issues in the village communities of Nampatam and Lingthem and the Lepcha association of sikkim,* Unpublished Master-Thesis of Cultural Anthropology, philosophical faculty of the university of zurich, 2007, Pp. 50-52

This aspect of the socio-economic factors that guided the formation of these two parties also impacted their composition and their support base. The affair of the Sikkim State Congress was mainly carried out by the Nepali communities while that of the Sikkim National Party were directed by members from the Bhutia community.[18] The foundational doctrine, if one may search for one in these two formations, was determined by their respective attitude to monarchy. The nexus between ethnicity and economic status/aspiration was in some ways inverse; as for instance, the Sikkim State Congress associates were predominantly those from among the Nepali people who did not have access to prosperity in the feudal system as did the *kazis*, also Nepalis, but entrenched in the system as revenue collectors and thus part of the Chogyal's system. The Sikkim State Congress drew its support base from the former sections and not significantly from the latter. It was in this context that the political status of Sikkim was finally clarified in 1950 and Sikkim became a protectorate of the Republic of India. According to this agreement, the Sikkimese government would enjoy autonomy of internal affairs, but the foreign affairs such as external relations defence and communication would be in the hands of the Indian Government.[19]

Along with these came the idea of 'elected' bodies, even if their role was advisory in essence to the Chogyal. This process of democratisation continued and various elections were held; but the governments could never gain strength and the parties suffered several fractures in due course. Meanwhile, in 1960, the Sikkim National Congress was founded, by L.D Kazi, uniting the different fractions and

[18]Sinha, A.C. *Politics of Sikkim: a sociological study*. Faridabad: Thomson press, (1975): pp. 24-25
[19]Sharma, S. K and Usha Sharma. *Documents on Sikkim and Bhutan. Encyclopaedia of Sikkim and Bhutan series*. New Delhi: Anmol Publications.(1998): Pp. 66-69

based on the agenda that Sikkim be ruled democratically under a Constitution.[20] In the following years the demands from the Sikkim National Congress become louder and with the discontent of the people its ability to mobilise grew.

It was after the elections held in 1973 that the political situation in Sikkim erupted and the turbulent couple of years since then led to the abolition of monarchy and the merger with India on May 16, 1975. It is another matter that the legitimacy of the Indian government to take this step in till today debated within Sikkim, sometimes loudly and most often in a hush-hush manner.

6.3 Ethnicization of the Political History of Sikkim

The people of Sikkim successfully put an end to monarchy and initiated the process of democracy and thus gave a new shape to Sikkim from May 16, 1975. As required by Articles 371 F (k) and (i), the circumstances in which Sikkim's merger was effected, the state and its polity warranted a visionary leadership and a professional bureaucracy who could formulate policies and design plans and strategies for taking Sikkim into a new era of political stability and economic development. However, not only did the new breed of political leadership lack adequate administrative experience, the local bureaucrats, were predominantly those who had arrived through the Darbari etiquette and a parochial outlook. There was, hence, the crying need for a structural overhaul and a change in their attitude.[21]

The euphoria that marked the transition, indeed, was short lived. L.D.Kazi, who led the campaign against monarchy and for the merger, ended Sikkim's first

[20]Sinha, A.C. *Politics of Sikkim: a sociological study*. Faridabad: Thomson press, (1975): pp. 28-29

[21]Gurung, S.K. *Sikkim Ethnicity and Political Dynamics A triadic Perspective,* kunal books New Delhi, India isbn-978-93-80752-11-2, (2011): pp. 221-227

Chief Minister; he, however, could not rise to the occasion and lacked the vision it demanded. There were such challenges as shortage of commodities and the consequent rise in prices that put tremendous pressure on the everyday life of the poor Sikkimese people. This was sufficient fodder for the dormant sentiment against the merger, among sections that lost out due to the abolition of monarchy and the accompanying privileges vested with the elite, then to set fire among the people; L.D.Kazi soon came to be seen as 'Desh Bechuwa.'[22]

N.B Bhandari though rode a wave of popular sentiment as much as a certain sentiment against the merger did function within the confines of Constitutional Democracy between 1979-1993 and remained Chief Minister of the State during this period. His wife, Dil Kumari Bhandari was also elected to represent the people of Sikkim in the Lok Sabha for most parts of this period. It is worth pointing out, from the concerns of this chapter, that many issues arose during this period and most important among them was the growth and assertion of new identities within the Nepali community and in addition such as the demand for the inclusion of the Limboo community among the list of Scheduled Tribes; and alongside these was the status of Nepali language and the demand for its inclusion in the Eighth Schedule of the Constitution.

The next stage, so to say, was that of the emergence and rise to power of the Sikkim Democratic Front and its coming to power in Sikkim in 1994. This, indeed, is also the most significant period from the concerns of this thesis; this was when 'development' came in as a governmental agenda and its most substantive face being

[22]Meaning save the country from person who sold their country, and Nar Bahadur Bhandari led this campaign and his popularity rose within Sikkim in a big way; the point is he could win elections held subsequently although Bhandari was arrested and interned in the Berhampore Central jail in West Bengal during the national Emergency declared just 40 days after Sikkim merged with India to become a Constitutional democracy.

building of dams and the Hydro-power projects. In other words, the SDF government brought up the issue of development in Sikkim, and this happening in the context of fast changing political, economic and technological scenario unfolding regionally, nationally and internationally, Sikkim state too was drawn into the vortex.

Among the programmes that arrived since 1994 and sponsored or initiated by the state government involved education, healthcare, poverty alleviation and eradication of such diseases such as AIDS among others and most importantly ensuring generation of at least 5000 MW of electricity by way of harnessing the rivers and streams in the state; the time frame set for all these was that these shall be achieved by year 2015. This Mission 2015 also set to develop Sikkim into the ultimate eco-tourism destination and to make Sikkim a land of opportunities with zero unemployment.[23]

It glossed over the fact that such problems or challenges to the environment were already concerns across the world and when the problem of unemployment was already a global phenomenon; and a lack of conceding the limits before a state government to overcome the challenges that such programmes were bound to throw up.

6.3.1 Policy Turning into a Political Agenda

A panoptic view of the political history of Sikkim, particularly the phase immediately preceding its merger into the Indian Union reveals the following:

[23]Sikkim 15 triumphant year of democracy (1994-2009) A call to action, published by Information and Public Relation Department, Government of Sikkim, (2009): website: www.sikkimipr.org

- L.D.Kazi, who interacted with the Government of India and had emerged as the face of the peoples' movement in Sikkim had wanted himself as Sikkim's Prime Minister; the May 16, 1975 agreement, however, was Kazi as Chief Minister.
- The aspirations of the people, at least a substantial majority of those who participated in the various agitations since the early 1970s was for Sikkim as an independent nation and this was to be brought about with aid and direct assistance from the Government of India; such a nation, in their aspiration was to be a democratic republic as against monarchy. However, the end, as it happened was qualitatively different and Sikkim became part of the Indian Union.
- This difference between the aspirations and whatever was achieved was brought out in 1980 when Nar Bahadur Bhandari, taking up a position against the merger as his campaign point won the elections to the Sikkim State Assembly, rode on that wave and formed his Government.

All that happened since then, including Bhandari's own transformation, is history and these have implications to making sense and understanding the politics of anti-Dam protests and the play of ethnic and other identity issues in the resistance movement as discussed in Chapter V of this thesis and elsewhere too. It is also significant then that a 'sentiment' and this time for ensuring the 'development' of Sikkim into a powerhouse, both in the literal and the figurative sense of the term, was invoked by Pawan Kumar Chamling who replaced Bhandari as Chief Minister in 1994 (through inner party manoeuvring) and subsequently winning majority for himself in the elections to the State Assembly in 1997.

6.4 Sustainable Development

The term, 'sustainable development' is perhaps the most heard of in the contemporary discourse, whether it is political, social or economic, of Sikkim. This, indeed, is true throughout the world in our times. However, the complexities involved in the discourse over sustainable development, particularly since the 1960s, is not what we find in the discourse, particularly where the driving force happens to be the state as in Sikkim. It will be appropriate then to chart out some of the core aspects that render 'sustainable development' into a concept in our times rather than a term or a phrase.

There may be different ways to understand or interpret the concept. Most recently, sustainable development formed the basis of the United Nations conference on Environment and Development held in Rio de Janiero, Brazil, in 1992; this, by far was the first ever attempt, under the aegis of state players and NGOs to draw up action plans and strategies for moving towards a more sustainable pattern of development at the international level.[24] Its beginnings may be traced to the Bruntland Commission Report, published in 1987, titled, *Our Common Future,* in an effort to link the issue of economic development and environmental stability. While this report provided the definition of sustainable development as "development that meets the needs of the present without compromising the ability" [25] this concept of sustainable development aims to maintain economic advancement and progress while protecting the long term value of the environment; it "provides a framework for the integration

[24]United Nations Conference on the Human Environment, Rio *Declaration on Environment and Development*. Rio De Janiero, Brazil: United Nations. (1992)
[25]United Nations General Assembly. Report *of the world commission on environment and Development: Our Common Future.* Oslo, Norway: United Nations General Assembly, Development and International Co-Operation: Environment, (1987): p 43.

of environment policies and development strategies."[26] While there are several other attempts to define what sustainable development could or must mean, the one that is used most often and has gathered wide acceptance among thinkers, activists and public policy professionals, is that proposed by the Brundtland commission[27]

The message or the thrust of this, indeed, can be captured in the following manner: When the entire world is concerned about preserving the environment and ecology for better living, it is time to think about it seriously and work towards this end. It is always better to think of sustainable and long lasting options than quick result-oriented options that has a deteriorating effect on ecology and environment. Rather it is important for us to do away with the options where the harms overwhelm the benefit in the long run.

Considering all these aspects the government of Sikkim decided to adopt an organic system of farming in the entire state; Sikkim, probably, was the first state in India to bring a resolution in the State Assembly towards this end.[28] Concern for the people of the state for a healthy and wealthy living in a sustainable way, keeping due care of ecology and environment, has been taken as the prime duty. This happened in the year 2003.

This decision, notwithstanding, the State Government's policy, overall, was directed to ensure Sikkim into becoming 'modern' and 'industrialised'. And this, in the view of the policy makers at the political and bureaucratic levels, warranted

[26]United Nations General Assembly. Report *of the world commission on environment and Development: Our Common Future.* Oslo, Norway: United Nations General Assembly, Development and International Co-Operation: Environment.(1987)

[27]Cerin, P. Bringing Economic opportunity into line with environmental influence: A Discussion on the Coase theorem and the Porter and van der Linde hypothesis. *Ecological Economics*, (2006): PP. 209-225.

[28] State Policy on Organic Farming, Government of Sikkim, 2003 Sikkim Organic Mission, FS&AD and H&CCD Departments, Government of Sikkim, Krishi Bhawan Tadong, East sikkim

initiatives not merely on the agricultural front wherein productivity would increase. It was important, from this paradigm, for agricultural produces should come to the market for sale. The development of modern agricultural practices in Sikkim, in this sense, begins in the early 1920s; before that agriculture in Sikkim was a traditional way of life. It was not an economic activity.

However, the wave of the green revolution elsewhere in India stuck Sikkim s too about the same time – the 1980s. Thus, agriculture, hitherto a rainfed practice in the region, witnessed a transformation due to the influx of chemical fertilizers and pesticides. It must be recorded that the transformation, unlike elsewhere in India, was a slow and gradual process; it did happen nevertheless and the green revolution had its impact in Sikkim too; it so happened that Sikkim was already an integral part of the Indian Union by then.[29]

The decision by the State Government of Sikkim, in 2003, to return to organic farming and against use of chemical fertilizers and pesticides was a task easier to achieve than elsewhere given the fact that the tradition of organic farming was not one that belonged to a distant past and also the fact that chemical fertilizers had come into the system only recently and also gradually. In other words, the practice of organic farming was indeed not a forgotten one in Sikkimese society and in that sense there was an 'organic' basis for the movement to re-establish and emerge as the dominant mode. Such practices were in vogue in the recent past as well. In addition, the State

[29]The Green Revolution in India at first started in the late 1960s. With the success of it, India attained food self –sufficiency within a decade by the end of the 1970s, the first wave of the green revolution. However, because it confined only to wheat crop and in northern India such as Punjab, it failed to raise income in the vast rural area of the country. The second wave of the green revolution, however, reached India finally in the 1980s. Since in involved almost all the crops including rice (which is very important staple food in eastern and southern India) and it covered the country, it was able to contribute to raise rural income and alleviate rural poverty in the whole country. Thus the second green revolution in the 1980s was essential for the history of Indian economic development.

Government also linked it up with a movement towards promoting eco-tourism in Sikkim about the same time. The point to be made here is that the Government's thrust on hydel-power as envisaged stuck out as odd in this context of development initiatives.

6.4.1 Sustainable Development in the midst of Mega Hydro Power Projects!

Since early 2000, Sikkim has witnessed two parallel aspects of development; sustainable in such areas as farming practices (organic as against chemical fertilizers and pesticides) and eco-tourism as against untrammelled growth of the sector involving big hotel and operator chains; and the opposite insofar as harnessing nature and resources, particularly pronounced in the hydel-power sector. The fact is both these have been taking shape with concerted push from the State Government and happening simultaneously and pushed ahead by the State Government headed by the Sikkim Democratic Front and its leader, Pawan Kumar Chamling.

A comprehensive hydro- electric survey of various river systems of the country was carried out by the Central Water and Power Commission (power wing) during 1953-59 by identifying a total of 256 economically feasible schemes. This study placed the country's hydropower potential at about 42,100 MW at 60% Plant Load Factor (PLF). The Central Electricity Authority (CEA), subsequently, undertook a systematic reassessment of the hydroelectric potential of the country and tentatively assessed it at 85,550 MW at 60% PLF... Out of this, about 64,400 MW potential was located in the Himalayan Rivers: viz. the Indus, the Ganga and the Brahmaputra, all of which flowed in the northern and north eastern region. In the earlier assessment, of the total 42,100 MW of hydroelectric potential, approximately 50% was from run off river type schemes and the balance from the reservoir type projects. The share of the

run off the river project in the subsequent assessment has somewhat reduced and is of the order of about 40%. The water for hydropower generation being non-consumptive can, therefore, be utilized for consumptive purposes also.

6.4.2 Water Resources of Sikkim

Sikkim is a thinly populated state with its unique environment and ecology.[30] The population is concentrated around the capital of Gangtok while the rest of the state is predominantly forest dotted by sparsely populated village settlements and a few small towns scattered over there. The economy is largely agriculture and forest based with very little technologically advanced industrial base. Due to the hilly terrain, agricultural production is not even sufficient for the consumption needs of the local population. Energy needs of the region are met by petroleum products, wood based products and from the mini and macro hydel schemes that exist in the state and also with the available share from hydroelectric projects of neighboring state/ countries. Keeping in view the future development of the state more electrical energy will be required.

The river Teesta is one of the main Himalayan Rivers, originating from the glaciers of Sikkim at an elevation of over 8500 metres above sea level. It flows north –south along the length of the state of Sikkim and forms the single major river in the state draining 95% of the total area of the state. The river rises in mountainous terrain and is formed mainly by the union of two-hill streams *Lachen Chu* and *Lachung Chu*, meeting at *Chungthang* in the North Sikkim. After *Rangpo*, the Teesta starts widening rapidly. The great Rangit joins the Teesta at *Melli* Bazar, on the Sikkim –West Bengal

[30]Sikkim Perspectives for Development, Published by Sikkim Science Society, ISBN: 81-211-0160-3, National Highway, Opposite Krishi Bhawan, Tadong-737102, Sikkim

border. After a distance of about 40 kms from *Melli*, meandering through the mountain valleys, the river enters into the plains of West Bengal at *Sevoke* near *Siliguri*. Further ahead, it fans out and attains the width of 4 to 5 km at places.

6.5 First Hydro Power Generation Unit in Sikkim

It is natural that growing population and rising levels of economic activities increase human demand for water and related services. The spree of developmental activities has brought significant increase in use of water and its demand has been steadily increasing throughout the world. The first power generation station in Sikkim was commissioned in 1927 on the bank of *Ranikhola* at Lower *Sichey* busty with an installed capacity of 50 KW. Keeping in view the growing demand for electricity, the early 1960s marked the beginning of addressing the concerns of Power development in the state. By 1967, three micro hydel stations were commissioned viz. (i) *Manul* Power House in North Sikkim with 100 KW capacities, (ii) *Rothak* with 200 KW capacity and (iii) *Rimbi* Power House in west District with 200 KW capacity again.

After these projects that were installed and commissioned even while Sikkim was a kingdom, the biggest power project in Sikkim, viz. Lower *Lagyap* Hydel Project (6x2 MW), was initiated and executed by the Central Water & Power Commission after Sikkim was merged into the Indian union.

The first unit of this project was commissioned in 1979 that has an installed capacity of 12 MW. However, in spite of the commissioning of the *Lagyap* Project, the shortage of power continued as the demand for power increased. Having realized the acute shortage, the State Government continued to add many more micro hydel

schemes in the years since then. The details of the power stations in Sikkim, installed capacities and the year of commissioning is given in the following Table (Table 6.1)

Table 6. 1

Power Stations in Sikkim, Year of Installation and their Installed Capacity: 1966-1996.

Power stations	Installed capacity (MW)	Year of commencement
Jali Power House	2.10	1966
Rimbi stage-I	0.60	1970-71
Manul	0.10	1970-71
Diesel Power House	2.70	1958
Rothak	0.20	1971-72
Lower Lagyap HEP	12.00	1979-80
Rongnichu stage II	2.50	1988-89
Rimbi stage II	1.00	1989-90
Lachen Micro	0.10	1989-90
Lachung Micro	0.20	1991-92
Mayoung Chu	4.00	1993-94
Upper Rongni Chu	8.00	1993-95
Kalez Khola	2.00	1995-96

Source: Data and Record Detail Register, Power and Energy Department Government of Sikkim, Gangtok

It may be noted from the data available that although the period between 1966 and 1996 cannot be treated a single phase given the substantial change in Sikkim's status in May 1975 – when it transformed from being a kingdom to a state in the Republic of India – the point to be stressed here is that there was a continuity insofar as the policy f power generation was concerned during this period. The thrust was on developing mini-hydel projects with small capacities harnessing power from the flowing streams in addition to building diesel powered generation units in some cases.

6.6 New Phase of Hydropower Development in Sikkim: The post-1997 Shift

However, beginning early 2000, the development paradigm witnessed a pronounced shift in Sikkim towards a rapid course and this witnessed a thrust on building mega-hydel projects on two main rivers of Sikkim; Teesta and Rangit, The Teesta river flows from the northern part of Sikkim and Rangit flows from the western part of Sikkim. It was realised that there was tremendous potential for development of power, as the river descends from an elevation of about 3600 m to about 250 m over a distance of about 175 km according to the preliminary reconnaissance survey by the team of experts of the erstwhile Central Water & Power Commission in 1974; it was found that the river could be harnessed under a cascade development for hydro power generation. The cascade development proposal consisted of power generation in six stages. These are summarized below.[31]

[31]Teesta Hydel Project Stage I-VI, series data collect from private domain of Affect Citizen of Teesta (ACT), President Mr. Athup Lepcha, Passingdong Dzongu North Sikkim, from the Power and Energy Department Government of Sikkim and NHPC Office is deny to provide the details information but only outline information I got, similar data of the Rangit hydel project stage I-IV also take from Mr. Athup Lepcha, Tsheten Lepcha former Acting president, Development area Gangtok and Mr. Dawa Tshering Lepcha, former General Secretary ACT, Lingdong Dzongu North Sikkim

6.6.1 Teesta Hydel Project-Stage I

Under this stage of development, it was found possible to divert the water of Lachen Chu (Teesta), *Lhonak Chu* and *Poke Chu* by constructing diversion structures and inter-connection tunnels. The combined water can be dropped at *Lachen Chu* to generate power. The diversion weirs across *Poke Chu*, *Lhonak Chu* and *Lachen Chu* would be located at an elevation of nearly 3300 m. and the drop, at the power house site, will be of the order of 730 m. and capable of generating 96 MW. However the public of Lachen denied to accept the proposed project and hence the project stands scrapped at the time of writing this thesis.

6.6.2 Teesta Hydel Project-Stage II

Under Stage II, it was proposed that the tailrace waters of *Lachen Chu* would be picked up near *Chhantan* village and diverted through a tunnel. A second weir across the *Lachung Chu* at *Lachung* would divert the waters through another tunnel. The combined waters would be utilized to generate power in a Power House located near *Chungthang*. The gross head available at the power house would be about 995 m. and this would generate about 200 MW of firm power with likely installed capacity of 750 MW.

6.6.3 Teesata Hydel Project- Stage III

Under this stage of development, which is the most ambitious and economically involving the highest cost hitherto, the waters of Teesta would be diverted through a 12.90 km long tunnel by constructing a dam at *Chungthang*. The water will be dropped through a height of about 780 m at a power house located at an elevation of about 780 m in the left bank of hill *Talung chu*, just about 700 m

upstream of its confluence with Teesta. As this Power House will be utilized as the peaking station for the North Eastern grid, the installed capacity of the project has been proposed at 1200 MW. This scheme has already had been investigated by the Central Water Commission and the project report was submitted as early as in 1987. And the present project status is that it was scheduled for commencement in 2017.

6.6.4 Teesta Hydel Project-Stage IV

In this scheme, the tail race waters from power house of Teesta hydel project stage III will be picked up by a diversion structure downstream of confluence of *Talung Chu* and Teesta and diverted through a tunnel leading to *Dikchu* where a firm power of 85 MW can be generated. This will involve construction of tunnel length of about 11 km. the gross head available will be of the order of 194 m. The investigation of this project has also been completed by CWC and the detailed project report has been submitted to the Union Ministry of Power, New Delhi in 1995. The scheme has been finalized for an installed capacity of 495 MW and this project is one of the controversial and yet to start as at the time of writing this thesis.

6.6.5 Teesta Hydel Project- Stage V

Under this stage of Teesta basin development, the waters of Teesta will be diverted through a tunnel of about 16.3 km length by constructing a suitable dam at *Dikchu* just below the confluence of *Dikchu* with Teesta. The dependable discharge available through the year has been assessed as 42 cusecs and the gross head available is 198 m. The power house will be located near *Singtam*, about 4 km upstream of the confluence of *Rongni Chu* with Teesta. The investigations for the project have been completed by CWC and project report has been submitted to the Union Ministry of

Energy in March 1992. The scheme has been finalized for an installed capacity of 510 MW with 72 MW of firm power and the project has already commenced.

6.6.6 Teesta Hydel Project- Stage VI

In the river reach below Singtam, it is possible to utilize the drop of about 80 m of water between *Singtam* and *Rangpo* by diverting the water through a suitable water conductor system about 4.5 km long. The power house would be generating about 130 MW of firm power. The investigation works is still going on work stands suspended at the time of writing this thesis.

Similarly, the proposals for hydel project development on River Rangit are as follows:

6.6.7 Rangit Stage-I

The *Rothang Chu*, a major perennial tributary of the Rangit River has its source in *Rothang* glacier. This tributary has a very steep bed fall. The river drops from an elevation of 3800 m to an elevation of 650 m at its junction with *Rangit Chu* in a distance of about 25 km. The river takes a big loop near *Yoksam*. It is proposed to divert the waters of this tributary into a tunnel by a weir at an elevation of about 2400 m upstream of *Yoksam*. The tunnel length will be about 5 km. and the water will drop through 1400 m from elevation 2500 m to elevation 1100 m near village *Thingtom*. The firm power draft for this river, at the diversion site, has been assessed at 5 cusecs, which will generate 47 MW of power at 60% load factor.

6.6.8 Rangit Stage-II

The *Rangit Chu*, which rises at an elevation of about 4500 m, is the biggest tributary of the *Rothang Chu* and has a very steep bed fall. It is proposed to divert the waters of *Rimbi Chu* near Singlitom into a tunnel of length of about 4 km and allow the water to drop by 450 m near *Lingchum* to generate 10 MW of power at 60% load factor.

6.6.9 Rangit Stage-III

The *Rangit River* near *Geyzing* flows through a big bend down to *Legship*. By short-circuiting this loop, it is proposed to generate 36 MW of power at 60% load factor with an installed capacity 60 MW. A diversion weir is under construction across the *Rangit* below the confluence of *Rangit* and *Rothang Chu* to divert the water through a water conductor system and dropping it by about 110 m to generate power. The firm power draft available is of the order of 56 cusecs. The terrain through which the water conductor system has to pass is comparatively flatter than in the Teesta valley. The discharge for power generation will be carried through a head race tunnel of 4.9 m diameter about 3.0 km long to the power house located 350 m upstream of the confluence of *Phingkhola* with river *Rangit.*

The detailed investigations of the *Rangit stage* III were taken up by Central Water Commission in January 1975 and the detailed project report was submitted in December 1980. The scheme was commissioned in 1997.

6.6.10 Rangit Stage-IV

The *Rangit River*, below its confluence with *Rishi Nalla*, has developed another wide loop before its confluence with *Rothang Chu*. The river drops by 100 m and this can be utilized to generate about 18 MW of power at 60% load factor. The terrain in this reach is fairly steep and would involve tunneling of water conductor system. The detailed investigation for this stage is yet to be taken up.

6.7 Contextualising the Hydel-Project Proposals

As stated earlier in this chapter, it is an irony that the State Government in Sikkim, even while actively putting out the precept of sustainable development and conservation and protection of environment, especially in such areas as farming and tourism and even practiced it to a large extent, is blind to such concerns as environment, ecology and sustainability when it comes to hydel-power projects. The bare details of the projects proposed and execution of some of them on the two rivers as detailed above reveals the extent of diversion and tunneling involved in them. It does not call for any extensive explanation that diverting rivers and carving out tunnels is an invitation for environment disasters and this is accepted world over. Add to that the fact that Sikkim happens to be in the Eastern Himalayas where the mountains are still young and fragile and is also in a zone identified for high seismic activity.

The present scenario of climate change must lead anyone to factor in the two major agreements that have been adopted by the international community: the United Nations Framework Convention on Climate Change, adopted in 1992 in Rio, and the

Kyoto Protocol adopted in 1997.[32] The latter, in fact, sets quantified commitments for the limitation or reduction of anthropogenic greenhouse gas (GHG) emissions for 39 industrialized countries and countries in transition to a market economy, for the period 2008-2012. The European Union, as such, is a party to the Kyoto Protocol.

In order for each country to fulfill its commitments, regional or national policies are progressively implemented. In addition to this national policies and measures, three market mechanisms, known as flexible mechanisms, were set up: firstly, international emissions trading, and secondly, to project mechanisms: joint implementation (JI) and the clean development mechanism (CDM), which both enable two parties to reduce or avoid GHG emissions cooperatively.

6.8 Clean Development Mechanism (CDM)

The purpose of the Clean Development Mechanism is to encourage efforts aimed at fighting climate change through the implementation of efficient activities, technologies and techniques emitting less GHGs. Looking into the advantages of CDM projects are threefold and are a global business too.

The CDM looks into an environmental advantage, on both the local and global level, from the point of reduction in GHS emissions resulting from the project; ironically in Sikkim, the State Government adopted the "Harit Kranti" year for greening Sikkim in 1997-96 and declared the ten year period from 2000-2010 as "Harit Kranti Dashak". The declaration came with focus on forest protection, wildlife

[32]The Clean Development Mechanism (CDM), Climate change: guide to the Kyoto protocol project mechanisms, second edition

and environmental conservation in the hills of Sikkim for the government.[33] And as part of this amended the Sikkim Forests, Water Course and Road Reserves (Preservation and Protection) Act, 1988. The amendment provided for incentives for eco-friendly, pollution-free and green industries under State Industrial Policy, 1996 and also banned an age-old practice of cattle grazing in the reserve forests.[34]

The Sikkim state government, indeed, has been the first among its counterparts and the Chief Minister participated in the governor's Global Climate Summit at California., All these, however, could be seen as driven by the assistance and funds that could flow into Sikkim given the structure of the CDM as a mechanism; the point is that CDM is as much a business funded by developed nations and such funds flowing into the developing world.

As for example, JICA (Japan International Cooperation Agency) provided financial assistance for Sikkim's Biodiversity Conservation and Forest Management Project (SBFP) from the year 2010-11. The project aims to strengthen biodiversity conservation activities and forest management capacity and simultaneously improve livelihood of the local people who are dependent on forest fringe areas. Japan is one of the developed and industrialized countries in the world who produce GHGs and Japan falls under the 39 industrialized countries and assists Sikkim to achieve their target to reduce GHG emission to stabilize to maintain Kyoto protocol. Similarly is the Indo-Swiss Project Sikkim, focused on development in ginger cultivation, etc.

[33]State of Environment Report Sikkim 2007, Report by ENVIS Centre Sikkim on status of environment & its related issue. Forest, environment & Wildlife Management Department Government of Sikkim sponsored by Ministry of Environment & Forest Government of India
[34]Sikkim Government Gazette, Notification: No. 1/LD/P/2005, DATED: 25/04/2005 the Sikkim ecology fund and environment cess act, 2005 (ACT NO.1 OF 2005)

The commitments made by developed countries and their operators as well as countries in transition to a market economy have resulted in the progressive internalization of the carbon component of their strategic production choices. This process, with respect to the CDM, is therefore likely to have a significant impact on investment in the developing countries, in such varied sectors as energy, industry, construction, agriculture or forestry. Given this, the avowed commitments and the pro-active participation of the State Government of Sikkim in such activities under the CDM ought to be read as in sharp contrast with its policy on mega-hydel projects, as discussed hitherto in this thesis and assessed accordingly.

Conclusion

A history of Sikkim can possibly be studied in two distinct phases; pre-May 1975 and post that period when it was integrated in the political sense with the Union of India on May 16, 1975. Such a chronology, however, is not free from problems involving the discipline of history. For we do have evidence of a whole lot of features from the earlier to the latter phases; apart from these, we also encounter a serious problem wherein the people, their culture and their formation into a community in the modern political or constitutional sense would end up being pushed under the carpet. This is an aspect that stares at any attempt to read and comprehend the making of Sikkim into what it is today particularly in the arena of development in the state. In other words, this study into one of the aspects of development – the hydel-power projects – have thrown evidence of a constant interaction between features of the past such as ethnic and cultural life of the people constituted in the case of Sikkim by three communities, namely the Nepalis, the Bhutias and the Lepchas.

It did reveal, in the chapters preceding, that the geographical spread of these communities across the mountainous state that Sikkim is would render population data taken in aggregate terms will cause serious distortions in any attempt to understand the metaphors invoked and foregrounded in the course of resistance movements against the hydel-projects. As for instance the fact that the Dzongu region where the anti-Dam resistance had taken the shape of a formidable movement is also where the Lepcha people constitute a majority and also the fact that the population density in this region is low as compared to the East, West and South districts ought to be taken as central to understanding the ethno-political dimensions of the protest as much as to foreground the infirmities that guide the discourse on decision-making and execution in a scheme of representative government. In other words, the constitutional scheme of representative government, as much as it might appear to be the best among options available, is fraught in this case with a potential for un-representative scheme.

Modernity, as in the way it became a form of life and governance in Sikkim post-May 1975 was also marked by the rise and growth of traditional symbols and institutions and most pronounced in the way a Lepcha community consciousness took shape in the context of the movement resisting the hydel-projects. It certainly is a paradox when seen without reference to the historical context of independence in the economic sense as came to be practiced in various stages of development of India since 1947 and especially after the adoption of market principles as supreme in the economic domain and the consensus on development from a Benthamite prespective, commonly understood as utilitarianism. The largest good of the largest number of people, notwithstanding that it sounded lofty, did contain in it an implicit injustice to the smaller number of people. And this, when put in operation in a region such as the

Dzongu, inhabited predominantly by the Lepcha people, it gave grist to mobilisation invoking cultural and ethnic metaphors and thus gathered mass.

The coming of the Constitutional scheme, wherein representative governance with the people electing their representatives to Parliament and the Legislative Assemblies in the various states in a manner where the first-past-the-post system was preferred against other systems such as proportional representation carried with it the burden of 'numbers' determining the rulers; the minorities, whether ethnic, religious or such other denominations as caste, were thus rendered vulnerable to the tyranny of the majority in like terms.

While this thesis is not meant to interrogate the fallacy of such an arrangement, the limited point could be made that the Constitutional scheme as it emerged in November 1949-January 1950 did factor in this dilemma and contained such remedial measures such as the Fifth and the Sixth Schedule (that are directly relevant to the concerns of this thesis as well as such provisions as the Eighth Schedule (recognizing languages) as well as the Directive Principles of State Policy. In short, there was a realisation, by the founding fathers of the Constitution, of the complexities and crises that the form of representative government would throw up in a multi-lingual, multi-ethnic and multi-cultural society that India as a nation was constituted as much as the imperative to forge a modern nation in the social, economic and political sense of the term.

In the specific case of Sikkim and unlike as in most other parts of the North-east India, the Sixth Schedule was not thought of and the consideration allowed for the Fifth Schedule alone in some parts. The event of Sikkim turning around from being a kingdom into a democracy simultaneously with its merger with the Indian

Union in May 1975 also marked the region and its people being ushered into the Constitutional scheme that India had adopted in November 1949. This shift, rather than being a transition or transformation, was indeed by wave of a hand (in the literal as much as in the metaphorical sense) and thus accompanied by all the contentions, conflicts and ruptures that the transformation of India as a Constitutional Republic had confronted with in other parts of India. From the concerns of this thesis, we find this conspicuously pronounced in the domain of development.

What is notice, in case of Sikkim, then is an attempt to accomplish or sustain the Benthamite approach to development with such attempts to window-dress it in the garb of sustainable development, an approach that had crystallized world over since the 1960s-70s and taking shape in India as well since the 1970s-80s. In other words the discourse in Sikkim, beginning the 1990s, has been one of a state-centred-sustainable-development model. This, in many ways, seems a rhetoric and one meant to serve the purpose of sustaining the private corporates in the domain of hydel-power even while turning such other areas of economic activities as agriculture/horticulture/floriculture and tourism into preserves of ecological concerns.

The agenda of sustainable development, as envisaged and implemented by the state government in Sikkim, hence, is very complicated. As for instance, the political as well as the administrative leadership in the state, often extol the educated youth to take initiatives to farming; concealed behind this is the idea or a scheme to enhance agricultural productivity in the state; this is certainly contrary and even inimical to the fundamentals of the principles of development as essentially having to be in the direction of meeting the needs of the present without compromising the ability of

future generations to meet their own needs. Sustainable development encompasses environmental, economic and social issues.

This conceptual understanding was based on the experience in the developed nations of such rapid growth in the industrial and agricultural sectors causing serious threats to the environment and the eco-system.[35] The principles of sustainable agriculture define an appropriate system of production on farm to ensure the wise and rational use of natural resources, protect the environment and allow for preservation of its biological diversity.[36]

However, it makes sense to point out here that the term, sustainable development, is used by state government of Sikkim in a totally different sense; unlike the centrality which the concept was derived from in the developed industrialized countries – where it involved a response to the issues involving housing or business premises in the context of rapid urbanization and causing congestion and the coming of slums – as much as the shrinking of space for agricultural operations and thus loss of productive agriculture land and area of bio-diversity – and hence intended to halt to further urban development to protect remaining green areas in the interests of both rural and urban communities, so that they can sustain their livelihood for long term, the concept of sustainable development, in Sikkim, is used to promote a rapid development process.

Even insofar as the implementation of this in the field of agriculture, the state government's approach is to enhance agricultural produce in large quantity and by unleashing as much land as can be for this even if it involves killing bio-diversity and

[35]Piotr Prus et al; Perspectives for Sustainable Development of Agricultural and Rural Areas, University of Techonology and Life Sciences, Bydgaszcz, Poland
[36]De Buck et al, 2001; Helander, 1997; Oomen Ormowski et al., 1998

the commons. This, seen in the context of migrations into Gangtok and other towns of Sikkim over a period seems to suggest that the state government's focus is on making entire Sikkim urban as well as turning all agricultural operations into business or commercial propositions; there have been appeals, and official at that, imploring the people to resort to organic farming practices and thus ensure a share for their produce in the international market. Alongside this is the 'promise' that the hydro power projects will bring the socio economic development into the state.

The point that unravels from the chapters in this thesis is that such a state-centred-perspective-on-sustainable-development steered by the state government in Sikkim is that the people of north Sikkim, especially Lachen, Lachung and the Dzongu region were driven, about the same time, to protest against the un-sustainable hydropower projects; and as a consequence this was the context, in time and space, when the state government imposed its terms that were endangering the sustenance of the people in the name of development. The fact is Sikkim, in an earlier period did engage in mini-hydel power stations and the shift, since the late 1980s and more forcefully since 1998 steeped misery in the name of development in north Sikkim. The findings in the chapters hitherto reveal that this agenda of development caused deprivation in the socio-cultural, political and economic sense of the term in the region.

Insofar as the people in north Sikkim in general and particularly in Dzongu, Lachen and Lachung are concerned, sustainable development means ensuring the preservation of the competences and availabilities of resources, utilization of resources using maintainable techniques;,in this sense, the concern of the people in Lachen and Lachung is to harness the potential for tourism and evolve a strategy to

develop the eco-friendly tourism projects with emphasis preservation of their age old culture and tradition. Similarly in Dzongu, with its rich variety of seasonal fruits to wild product etc., there is the potential for unleashing micro industries for fruit processing that can generate employment and uplift the economic standard of people, without disturbing the nature, culture and tradition of the particular areas.

It can be seen clearly that there is a huge gap between the peoples' perception of development in the region and that of the state government; this is notwithstanding the fact that the kingdom of Sikkim was ushered into representative democracy in May 1975. It is this gap, rather the contrarian approach to development between the representative state and the people who are meant to be represented which caused for the protest against the hydel-projects grow in intensity. ACT, as an organisation, played the historical role of conceptualizing this as much as it gave shape to the protests into a movement.

Meanwhile, it is imperative for a study of this nature to make a point, even if it is a short one as much as is tentative on the limitations staring at ACT. I am using the plural (limitation*s*) deliberately rather than 'limitation' as it may be the norm. In this sense, these are points that are thrown only with a fond hope that it bounces back and hence there is nothing conclusive about this.

- The nature, both in form and content, of Constitutional Democracy, as briefly discussed earlier in this chapter, renders legitimization of an idea contingent upon it gathering support of the majority; in other words it carries with it where the minority is obliged to fall in line.

- In contexts where the state, as representing the people, takes up an idea and pushes it with gusto the counter-point to such ideas are left without voice and ends up causing unrest against the state and its people.
- In a society that is multi-ethnic and the diversity is such as it is in Sikkim and where the affected people of any such projects happen to be a minority in the numerical sense as much as they constitute an ethnic minority in the state even while being the majority in the project region, the voices of protest can be termed as anti-development with some ease.
- And where the project promotion is under the aegis of an elected government of the State, the peoples' protests and concerns can be pitted as against the elected state government with ease.

ACT, then, is caught with an exit option. Neither can the movement consider elections as a means of protest and a weapon to alter the discourse towards sustainable development nor can ACT argue to stay out of the political society (in other words call for boycott of the election process) and entrench itself as a civil society movement only. This indeed is a limitation that several such movements against displacement by big dams have faced and yet the movements have not ceased to live. This indeed is where ACT too stands and seeks to expand its own domain as a player in the discourse on sustainable development.

In its existence for a decade and half since ACT came up in 2004, the movement has transformed into a force which is not merely an outfit to carry out agitations; among the important aspects that ACT has integrated into its agenda is to comprehend the Dzongu and its people in the larger context of the process of globalization and the neo-liberal policies and formulate a response to these.

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