

FRICITION IN THE MOUNTAINS: A CASE OF NIYAMGIRI MOVEMENT IN INDIA

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Abstract

With the rapid growth of industrialization and the changing global institutions during the globalized era, India is home to many development projects by leading corporate organizations, various multi-lateral, and bi-lateral agencies, which are being implemented in close coordination with the local and state government bodies. The government has joined hands with global agencies to implement large infrastructure development projects that are largely in forests as well as other mineral intensive areas, populated with indigenous communities. The indigenous communities are highly affected in terms of livelihood opportunities, spaces of habitation, land ownership, displacement challenges, access to basic resources etc. in such a situation of disadvantages, tribal communities are witnessing oppression, forceful displacements and loss of livelihood and culture. This paper focuses on understanding the changes that happen in the mountain community of Niyamgiri after the mining company arrives with the help of the state. The central argument of the paper is how indigenous people react to the arrival of the destructive industry and how they witness the phenomena of cultural friction.

Key words: Friction, globalization, development, extractive-industries, mining, global governance, indigenous resistance,

Introduction

Friction is a work of examination of global development and resistance processes. Which highlights how rapid transformations have an impact on locals. The phrase 'friction' was used in ethnography of global connection in Indonesian rainforest where analyses of the 'awkward engagement' amongst indigenous people and others (Tsing 2004). This phrase underlines the clash of culture and the aftermath of globalization. These encounters of conflicting interactions in two different worlds create friction which shapes the future of locals.

These are similar kind of interactions and events of friction which have been occurring as a phenomenon involving indigenous groups and governmental actors of power in one of the mountain ranges of India. The clash of the two worlds after the arrival of the mining companies is not only alters the geography of the mountains and the foothills but it also impacts the life of the local indigenous community. The local groups which are the original inhabitants of this mountains are going through a series of altercations in their livelihood patterns, their social practices, their belief systems, which are changing their social roles and interactions. Changes experienced by the locals after the companies' arrival which resulted in the global interconnections created cultural friction in the process of globalization. Attempt of resistance and dominance on several occasions in and around Niyamgiri makes it a place of 'awkward engagement'.

Once the isolated indigenous tribe, living peacefully in the mountain ranges of Niyamgiri, now have a new role as anti-mining activists which brought them under the political groupings. These isolated groups were not

exposed to the outside world but once the outside world started reaching them then it resulted in cultural friction.

This friction produces movement, action, and effect (Tsing 2004). friction as a metaphor for the diverse and conflicting social interactions that make up our contemporary world. Tsing in her study she focused on what she called is particular “zone of awkward engagement” with reference to the rainforests of Indonesia where during the 1980s -1990s capitalist interests was on the rise and it not only reshaped the landscape by these chains of legal and illegal entrepreneurs who arrived and took the land from previous claimants, creating resources for distant markets. In such situations to address the issue the environmental movements arose to defend the rainforests and the communities of people who live in them. Not confined to a village, a province, or a nation, the social drama of the Indonesian rainforest includes local and national agencies associated with the environment and other stakeholders (Tsing 2004).

Drawing upon this interesting case of Indonesia, I hereby attempt at unpacking this complex phenomenon of ‘cultural indigenous friction’ with actors of power involved in global governance within the Indian mining states. An interesting aspect to examine here is how the state is playing an instrumental role as a facilitator in this phenomenon. There have been previous deliberations in the literature about the resistance movements against global governance; however, the previous discussions in the literature ignore the active role of the state in the context of promotion of developmental and mining related activities, failing to reconsider the wellbeing and rights of the indigenous poor. In the biggest democracy of the world the role of the state cannot be ignored. The State and State machineries are powerful actors and mechanisms through which the state imposes visible or invisible restrictions upon the tribal communities, compromising their abilities of negotiations and on the other hand welcoming the mining giants to these mineral intensive regions, over-selling arguments of development. The mining sites are dominated by the state and later handed over to the mining companies. This neoliberal phenomenon involving active domination and intervention of powerful outsiders and insiders simultaneously in the indigenous regions, leave devastating impacts on the indigenous population. One can see these processes through the lenses of globalization and global governance, which leaves its major impact on the developing countries. Mining sites are the best example of ‘how global shape the local?’ The global demand of minerals brings international extractive industries to developing countries, where the local regulations, laws and governance systems are easily manipulated through power relations and the arrival of these powerful corporate actors, alongside the State is followed with cultural friction and major power struggles in the mining sites. Eventually mining not only changes the landscapes but also changes the ‘socio-cultural-economic’ lives of the indigenous locals.

Understanding friction:

‘Friction’ is a concept which argues for examination of global development and resistance processes. Friction is an outcome of the global development processes in the neoliberal world which leads to the rapid transformations resulting into significant impact on the local communities. Tsing argues that we view global capitalism's ostensibly universalizing thrusts, as well as apparent governmental complicity with it, as a collection of diverging interests and viewpoints that give rise to paradoxical "global understandings," or universalisms, because of their "friction." She contends that tensions and contradictions, or frictions, generate contingent universals and massive erasures, which drastically alter the lives of society's weaker members. However, in this friction, "where making, saving, and destroying resources are utterly mixed up, where zones

of conservation, production, and resource sacrifice overlap almost fully..." (p. 32)

Her work focuses on these tensions between global capitalism and locals have influenced Indonesia's development policies at the expense of the Meratus Dayaks in this situation. Tsing also highlighted that "it is bringing old forms of savagery to life in the contemporary landscape ... nature goes wild (p. 29)." These activities of transformation of landscapes brings what Tsing refers to as 'trauma of transformation'.

Both national and international industries act according to the global demand for minerals. Indigenous people fall in the trap of coercion vs concerns. The clash of culture which is happening in the mountains. These conflicting interaction as frictions happens when the industries arrive and try to settle in the indigenous areas. These interactions lead to several conflicts and arguments with the company workers and with the locals. Niyamgiri mountains is the best example of friction and the 'trauma of transformation'. Initial unanswered arguments on differences to social, economic and political threat became bone of contention in the mountains. These mining industries are the example of presence of global connections which are leading to the momentum of global capitalist ideology of exploitation of people and resources. Frictions as a framework helps to analyses the issues of development, displacement, resource exploitations in the setting called 'zone of awkward engagement'.

The context: Niyamgiri Mountains of Odisha

The Niyamgiri chain of hills is significant because of its diverse biodiversity. It also serves as a vital link between the forests of Kandhamal and the forests of Rayagada, Kalahandi, and Koraput districts. These forests also connect to the Karlapat and Kotagarh wildlife sanctuaries in the north-west and north-east, respectively. As a result, they play a critical role in establishing a continuous forest track that extends beyond the protected area.

The Dongaria Kondh and Kutia Kondh tribes live on the forested slopes of the Niyamgiri hills and the many streams that flow through them. These are Scheduled Tribes, and the Indian Constitution's Schedule V, which requires the government to protect and uphold Scheduled Tribes' land rights, applies to the entire Niyamgiri highlands region. These tribes are also designated as "Primitive Tribal Groups" by the government, making them eligible for special protection. The Dongaria Kondh live in the Niyamgiri hills' upper reaches, while Kutia Kondh live in the foothills. The Dongaria Kondh get their name from the word 'dongar', which means "hill." The Niyamgiri highlands are this group's exclusive home, and their particular character is reflected in their language. The Niyamgiri hills are sacred to the two communities, who believe that their survival is based on the ecosystem's integrity.

Both Dongaria and Kutia Kondh use the proposed mining lease (PML) region, which is part of their Community Reserved Forests as well as their habitat, because they rely on it for their livelihoods and socio-cultural traditions. Their adoration for the mountains stems from their reliance on the natural resources that the mountains provide. Agriculture, grazing, and the collecting of minor forest produce are among their traditional practices in the area.

The Dongaria Kondh, a small population living in the Niyamgiri hills' upland portions, are completely reliant on the hills. Their cultural identity is inextricably linked to the Niyamgiri hills, and they have developed a complex agro-forestry system that takes advantage of mountain slopes and streams.

Mining operations of the scale envisaged in this project, which would cover over 7 square kilometers, would significantly disrupt this vital wildlife habitat. If mining is permitted in the PML region, the entire Niyamgiri

hills will be severely harmed. Niyamgiri is Orissa's most contentious bauxite resource, straddling Kalahandi and Rayagada, whereas Khandadharo is a Keonjhar mountain area rich in forest and iron ore.

Other than their ecological importance the Niyamgiri hills are sacred to the two communities, who believe that their survival is based on the ecosystem's integrity. Both Dongaria and Kutia Kondh use the proposed mining lease (PML) region, which is part of their Community Reserved Forests as well as their habitat, because they rely on it for their livelihoods and socio-cultural traditions. Their adoration for the mountains stems from their reliance on the natural resources that the mountains provide. Agriculture, grazing, and the collecting of minor forest produce are among their traditional practices in the area. The Dongaria Kondh, a small population living in the Niyamgiri hills' upland portions, are completely reliant on the hills. In other way their cultural identity is inextricably linked to the Niyamgiri hills, and they have developed a complex agro-forestry system that takes advantage of mountain slopes and streams.

However, the proposed mining operations of the scale envisaged in this project, which would cover over 7 square kilometers, would significantly disrupt this vital wildlife habitat. If mining is permitted in the PML region, the entire Niyamgiri hills will be severely harmed. According to the Four Member Committee (set up by the government to review the situation at Niyamgiri), concluded that: Significant areas of forest land will be destroyed because of the mining operations. Because Dongaria and Kutia Kondh rely primarily on forest products for survival, the loss of forest cover will have a significant impact on their economic well-being. Their farming grounds are near the PML. Tree-felling, blasting, soil removal, road construction, and the passage of heavy gear are all mining-related operations that will deny them access to their ancestral grounds. These operations will also have a negative impact on the nearby hills and streams, which are vital to their agriculture. If mining has a direct impact on the economic and social lives of one-fifth of Dongaria Kondh's, Niyamgiri is Orissa's most contentious bauxite resource, straddling Kalahandi and Rayagada, whereas Khandadharo is a Keonjhar mountain area rich in forest and iron ore.

The vast wealth of Orissa has been a cause of contention, with proponents of 'development' gaining the upper hand among indigenous groups that have lived in the area for decades. In Panchpat Mali, Orissa, for example, NALCO operates India's largest bauxite mine. It also has two of the country's seven operational refineries (NALCO's in Damanjodi and Vedanta's recently finished one in Lanjigarh), as well as two of the country's six smelters (NALCO's in Angul and Indal's in Hirakud). Many projects are in the works, including refineries, which are now being built in Kashipur by Utkal. There are plans for several more smelters, with Vedanta's in Jharsuguda district already under construction and Hindalco's in Sambalpur in advanced planning stages.

The Niyamgiri hills have 73 lakh tonnes of bauxite deposits. Vedanta intends to mine three lakh tonnes of bauxite and extract one lakh tonnes of alumina from it. Niyamgiri covers an area of 1073.4 hectares, of which 506.638 hectares are classified as "protected forest area." For its alumina factory, Vedanta requires 1798.54 hectares of land, of which 1,109 hectares are privately owned. The business predicts that 60 families will be displaced and that the project will affect 302 families in 12 villages. The Dongria Konds, the area's native inhabitants, will be among those evacuated. These communities are not on the project-affected list because the government's tax agency has not yet identified them. Worst of all, while Rs 4,500 crores invested as capital, just 250 individuals will profit directly from employment, with another 500 benefiting indirectly.

Niyamgiri movement:

While the adivasis have long been oppressed, they have occasionally retaliated. For example, the Grama Sabha of Trilochanpur Panchayat in Orissa unanimously passed a resolution prohibiting Vedanta from mining bauxite in their sacred mountains, citing their rights to forestland as enshrined in the FRA ('Third Gram Sabha Too Rejects Mining in Niyamgiri,' *The Hindu*, July 24, 2013). The state government has given the mining business licence to mine as part of the state's industrial development programme. As a result, the adivasis and the state continue to negotiate citizenship.

The adivasi, standing at the crossroads of democratic institutions, neoliberal economics, and social programmes, is striking new deals with the state based on rights, the state's process of subject-making.

Niyamgiri movement also attract the support from the civil society organizations. It also sets the example of the important role of civil societies in awareness and raising the issues of marginalized communities like Dongarias. It is important to isolate groups like Dongarias to build a network to protect and promote their rights (Jena and Mohanty, 2019). Supreme court also observes the important aspects of rights of local when it comes to the mining activities. The core of this struggle of Dongarias highlighted the importance of indigenous rights.

However, in this case the supreme court also underlined the fact that the rights of locals are an important prerequisite when it comes to mining activities in their locality. In the process or attempts of natural resource management the indigenous rights became central (Patnaik 2014).

Overall, this movement contributes to the discussion of sustainability and environmental justice system. The people of Niyamgiri rejected the established model of economic growth and force the system to replace it with the model of prioritizing the rights of local communities and environmental sustainability (Choudhury 2015). As a movement leader (from NGO) Prafulla Samantara 2017 Goldman prize awardee said, "Why the requirement of others is burden on us?" further he clarifies that the need of minerals of western world is sending these mining companies to developing countries to search for mineral. These process of searching for and extraction of minerals is a violence process. According to him "this is a circle of demand and supply where indigenous group are on receiving end". Demands of minerals disturbing the tribal life at Niyamgiri. He further argues "This is ecological and cultural destruction not only affect the Dongarias but it will affect the nature as well". As a recipient of prestigious environment awardee, he believes that this friction at the foothills of Niyamgiri is only because of the fulfillment of the minerals need of the one world destroying the other world. This struggle of Dongarias is supported by various local, national, and international organizations. This network of NGOs and activist were able to protect the mountains of Dongarias.

Major Events: Major events:

This timeline outlines significant events related to a mining and alumina refinery project in Odisha involving Vedanta PLC, which led to controversies and legal proceedings:

1. 1997: An MOU (Memorandum of Understanding) was signed between the Government of Odisha and Sterlite, which later becomes a subsidiary of Vedanta PLC, for a mining and alumina refinery project.
2. 2002-2003: Land acquisition was initiated in the Lanjigarh area, which sparks local protests and mobilization against the project.
3. 2004: A rally against Vedanta is held, attended by affected people and Dongaria Kondhs. A petition is filed against Vedanta PLC, alleging violations of environmental and forest laws.
4. 2005: The Central Empowered Committee (CEC) recommends that mining in the Niyamgiri area

should not be allowed due to environmental concerns.

5. 2005: CEC also recommends canceling the environmental clearance for the alumina refinery project.
6. 2008: The Supreme Court ignores the CEC's recommendations and permits the Ministry of Environment and Forests (MOEF) to grant clearance for mining in Niyamgiri.
7. 2009: MOEF grants environmental clearance for mining in the Niyamgiri area, pending final forestry clearance.
8. 2010: MOEF's Saxena Committee releases a report, pointing out violations of the Forest Rights Act (FRA) and other forest and environmental laws by Vedanta and the state government.
9. 2010: MOEF declines to provide the final forest clearance required for mining in Niyamgiri.
10. 2011: The Odisha Mining Corporation files a writ petition in the Supreme Court, seeking to overturn MOEF's decision.
11. 2013: The Supreme Court, based on its interpretation of the Forest Rights Act, 2006, and the Panchayati Raj (local council) Extension to Scheduled Areas Act, 1996, rules that Gram Sabhas (village councils of indigenous communities) should have a say in whether mining should proceed in the Niyamgiri area.

This timeline reflects a complex and contentious series of events related to environmental and tribal rights issues, legal battles, and changing governmental decisions regarding the mining and alumina refinery project in Odisha. The involvement of indigenous communities and their rights played a significant role in the eventual Supreme Court ruling in 2013.

Changes after the arrival of the mining company:

The 2004, agreement with Alumina company, a subsidiary of Sterlite Industries (India) (SIIL) to mine bauxite deposit from the Niyamgiri hills jointly with the Orissa Mining Corporation (OMC), ignored environmental and human rights issues. Also ignored the importance of the socio-cultural and environmental aspects of Niyamgiri hills, the Orissa government has made all-out efforts to bring 'resource-intensive mode of development' that would create ecological instability and violate the fundamental rights of around 8,000 people.

Alumina company, which is ranked as one of the most dangerous and damaging mining outfits in the world. Recently, the Norwegian government sold its entire stake from the same company, a mining, and metals company with a significant presence in India, and operations in Zambia, Australia, and Armenia because of what one Norwegian government official referred to as 'environmental and human rights violations' by the firm and for 'grossly unethical practices'. But ironically - The Orissa government has welcomed the company to invest in the state and reached an agreement to provide all kinds of support to carry out its mining activities in Niyamgiri hills. The 2004 agreement gave Vedanta broad powers over the local population and resources, including the right to take land, water, and other natural resources.

On the other side, India's national laws have, however, enabled Vedanta's free reign. Important thing is laws in India do not comply with international human rights standards; they offer no adequate respect for community land rights, no rights of refusal or of informed consent, and no effective protection for traditional livelihoods and cultures. A close look at the evolution of environmental laws in US, Canada, Australia, and New Zealand, reveals that the developments in India are far behind the developments in these countries. For example, American, Canada, and Australian.

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

2006 in India for the first time recognizes right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling scheduled tribe or other traditional forest dwellers. However, if the recent stand of the Orissa government towards Vedanta indication, that the agreement has violated the Forest Rights Act 2006, as the state government has not taken the local communities, especially the tribals, into consideration.

In their protest, the local people including the Dongarias consistently speak about the loss of human dignity and the mistreatment – physical, psychological, spiritual, and economic – they have experienced since Vedanta, its agents, and its by-products (subcontractors, police force and others) arrived there. Through their struggle, local communities with help of like-minded activists and NGOs appealed to the Supreme Court of India to restore the rights of tribal people and forest resources in the Niyamgiri hills. The committee has recommended (to the apex court) against diversion of forestlands for the project. Furthermore, the CEC highlighted that the area allocated to the company forms part of schedule V area as specified by the Constitution. Schedule V provides protection to the Adivasi people living in these areas. No land in these areas is allowed to be transferred to non-tribals. The Supreme Court's ruling in 2013 delighted the tribal people as it barred Vedanta Resources from mining bauxite in the Niyamgiri hills.

However, the decision offered the tribe only a temporary reprieve, as the court ordered the company's Indian unit, Sterlite Industries, to come back with a new proposal for the project. The court has also provided an escape clause for the mining giants, by setting up a special purpose vehicle (SPV), which would have to ensure that environmental regulations are complied with. The project entails development of the bauxite mines at the Niyamgiri hills and the Khambasi hill in the adjoining Rayagada district. Once the requirements of employment of the displaced persons and tribals and protection of wildlife are taken care of, the companies can approach the court again for its green signal. The local people continue to protest even today after the Supreme Court's rejection of their appeal to stop mining activities totally in the Niyamgiri hills, but the future is uncertain. "Clever fools!!!" says the judge at the village council meeting reacted after the Dongaria's unanimously decline the mining proposal unanimously. He never came across the people who stand strong against the will of government/state.

One of the community leaders on asked on the issues of arrival of mining company at Niyamgiri. He argued that "when the company official initially came as a researcher then later they acquire land at the foothills of Niyamgiri and installed a industrial plant". Once the tribal community members understood the purpose of the plat then they started reacting and various violent incidents took placed. These resistance movement somehow put the burden on the tribals to run this antimining movement.

Friction and resistance in the mountain:

Fiction and resistance at the site emerged in 2002-2003, when Vedanta Aluminum Limited started to acquire land for an aluminum refinery project in the foothills of Niyamgiri on land inhabited by Kondh tribal people and other subsistence farmers. The affected villagers quickly mobilized at the village level and later formed a resistance organization that was supported by citizens of a nearby town. Resistance was mainly spontaneous but often involved hundreds of people, although organized mass protests were rare during this time, since resistance networks were still being formed. The Resistance movement was active at local, national as well as international level. ActionAid and Survival International, high-profile international NGOs had been working with the rural communities for some years on development issues and a local ActionAid staff member played

a major role in the formation of the initial resistance movement. Collaboration with the national and international NGOs led to the rapid internationalization of the movement.

The protest was led by the Dongarias and other social activists to show their opposition to the project. These movements are organized by making human chains of protest, roadblocks, and protest at the international level (outside Vedanta company office at London, UK).

One of the movement members mentioned that “the first gathering of Dogaria people against the mining plant was a spontaneous reaction”. This reaction was example of local vs outsider’s conflict. Presence of the mining plant and destruction which it makes in the surrounded area started affecting the population living in the foothill area. The waterbodies are contaminated with chemicals. Villagers and their cattle suffer from skin diseases. Dumping industrial waste in nearby area and in waterbodies affected the villagers. It resulted into various skin diseases and the respiratory issues.

How does global shape the local?

How global demands shape or influence local can be experienced at the Niyamgiri. As locals and activists from the movement consider breaking the unity of the people the company is trying different methods to influence the locals-especially youths. In one of the famous videos of Niyamgiri youth on YouTube highlights the difference of opinion of youths than the people who are associated with the movement. One of the youths demands development and things which people in the urban areas have. He calls companies’ presence as the opportunity to get develop. He argues “we also want to get developed like city people”. The concept of development according to him is owning materialistic things. Things he kept mentioning are television set and the cell phones. He and his group of present generation youth believe that the company can provide them these opportunities to be developed. On asked the locals they say this is the best example of How company influence youths by showing the good mining practices which are less harmful which will protect the mountain as well as do not disturb the ecology of the mountain. Company also promises various benefits to youths.

Attempts are made to collaborate under the CSR activities with locals for social welfare, education, and health services. These attempts of collaborations are strategies by the companies which are not wholeheartedly accepted by the all the residents at the foothills. These collaborations are distractive in nature as local mentioned.

These collaborations for resource extractions are against the indigenous lifestyle, culture, and tradition. Collaborations are important, one cannot survive without collaboration but not all collaborations are good for everybody (Li). Global capital influence in fragments and these fragment spots of development or its effects can be seen collectively. Fragments are the proof of global connections.

Conclusion

Niyamgiri foothills is the perfect site of what Tsing refer as ‘awkward engagement’. Outsiders’ (mining company) domination and land grabbing activities are understood by the locals as challenging and threatening to their existence, identity, and culture. Extracting industry presence create a friction which cause conflict with locals, however this friction led one of the most important social movements of India. This is one of the examples of how international mining companies are working to fulfil the global demand of minerals in the third world countries. Several incidents of frictions led to coercion between locals and outsiders which again raise the concerns of indigenous/local people.

After the extracting industry arrived, the people noticed several changes. Locals mainly emphasize geographic, environmental, and social changes. Locals highlight how the pollution of land and water sources due to the industrial waste causes skin problems in the community. Its geography's fundamental alterations can be seen. Additionally, there are a lot more outsiders, commuters, and labourers in this neighborhood. A quick transcend walk can highlight company personnel, newly built roads, rehabilitation colonies for displaced families, and company trucks (light and heavy). Schools and a hospital serve as examples of CSR initiatives at the foothills. Global connection of mining is one of the complex web and areas of analysis with the multidimensional perspectives. This connection can be studied as how mining companies are working towards fulfilling the global demand and they influence the state to make the process of mining easy for them irrespective of local resistance. Global connection is consistent with a network of people and system. Global connections are created to support the market and to fulfil the need of the market at any cost.

One of the intricate webs and fields of investigation with multifaceted viewpoints is the global connection of mining. This relationship can be examined by looking at how mining companies, despite local opposition, push the state to make mining easier for them in order to meet the world's demand. Global connection is consistent with a network of people and system. Global links are developed to serve the market and satisfy its demands at any cost.

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