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India

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Forest rights organisations knock at Centre's door, meet political leaders



By Suresh Nautiyal

New Delhi, Jul 9 (UNI) The All-India Front for Forest Rights Struggles (AIFFRS) has

expressed its deep concern on the "attempts" of the central government to dilute and violate the Forest Rights Act 2006.

A delegation of the AIFFRS recently met the union minister for tribal affairs, Arjun Munda and demanded from him that the Forest Rights Act, 2006 be continued and implemented without any dilution.

The delegation also met the Congress leaders and former union ministers Jairam Ramesh and Mani Shankar Aiyar, CPI-M leader Brinda Karat, CPI general secretary S Sudhakar Reddy, and several other parties and organisations including the newly founded India Greens Party in this regard.

The delegation said it was extremely concerned about the dilution and violation of the Forest Rights Act through a notification on the Compensatory Afforestation Act, which seeks to dilute the purpose of compensatory afforestation.

The delegation of the AIFFRS said the preamble of the Compensatory Afforestation Fund Act, 2016 clearly advocates for administration of the funds and to utilise the monies so collected for undertaking artificial regeneration (plantations), assisted natural regeneration, protection of forests, forest related infrastructure development, Green India Programme, wildlife protection and other related activities and for matters connected therewith or incidental thereto.

Mr Xavier Kujur, national convener of AIFFRS told UNI that the Compensatory Afforestation Fund Act, 2016 also undermined the Forest Rights Act, 2006 which not only provided primacy to the Gram Sabha, but also sought to ensure that funds were made available to it for handholding support of the stakeholders.

"Section 6 (i) of the Forest Rights Act mentions, "the Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee".

He said the state government shall ensure through its departments especially tribal and social welfare, environment and forest, revenue, rural development, panchayati raj and other departments relevant to upliftment of forest dwelling scheduled tribes and other traditional forest dwellers, that all government schemes including those relating to land improvement, land productivity, basic amenities and other livelihood measures are provided to such claimants and communities whose rights have been recognized and vested under the Act.

He said the Supreme Court order 23/2/2019 to evict those whose forest claims have been rejected and its subsequent stay is a big stab in the back of Adivasis in India, as everyone knows that it is the wrong implementation of forest rights in general and community rights in particular that have been the cause of denial of rights.

"There have been a lot of processes and dialogues between civil society organisations and the government to initiate Forest Rights Act, which provides rights to the Adivasis to conserve forests, to use forest based products, for their housing inside the forests and also to cultivate for their basic needs," he added.

Mr Kunjur said while the Forest Rights Act provided power and rights to the Adivasis, the recent developments seem to deny the rights and power of the Adivasis.

"The Adivasis in India know very well that if the forests are not protected, their own lives and livelihood will be in trouble," he argued.

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He said the Adivasis in India are stake holders of forests in India. The forest department is only an external force which cannot be given absolute powers to harass the Adivasis or change the character of Indian forests.

"Instead of Implementing the Forest Rights Act, the government today is attempting to take back the rights of the Adivasis on forests. We unanimously oppose such an attempt," he declared.

"As if this was not enough the proposed draft amendments to the Indian Forest Act 1927, far from correcting the injustice done to these communities seeks to put unbridled power in the hands of the Forest Department ignoring the work done by forest dwellers and forest dependent communities to protect and manage the forests that they are dependent on."

"We would therefore like to bring upfront the following experiences as a concrete way to demonstrate what the Forest Rights Act should be about and a possible road map to bring to the forefront the twin issues of conservation and livelihoods for sustainable governance of the forests," he said on behalf of the AIFFRS.

Mr Kunjur said the experience of Jharkhand Jungle Bachao Andolan to assert community rights in the forest as a means of not only asserting livelihood rights but also the culture of Adivasis which is intrinsic to forests and the survival of both. "A similar, though different journey, has been traversed by Adivasi Jan Utthan Trust in Bhekadia which is working closely with Fenai Mata Revakhand Jaiv Shristi Mandal a federation of 42 villages in the blocks of Kavant and Naswadi in Chhota Udepur District of Gujarat," he said.

According to him, in South India, Rights-based organisations, which function under the National Adivasi Alliance (NAA), are working with the Adivasi community to ensure implementation of the Forest Rights Act, 2006 and Compensatory Afforestation Fund Act, 2016 activities to safeguard the livelihood resources for the community and conserve and maintain the bio-diversity in the forest land.

Mr Kunjur pointed out that the report of the meeting on Forestry and Pastoralism at Dehradun held in March 2019 highlighted the need for a different approach to addressing CFR rights of pastoralists. A similar position was reflected for fisher folk in the meeting on Sundarbans held in December 2017, he added.

He said other meetings organised by AIFF-RS have also endorsed the approach outlined by Jharkhand Jungle Bachao Andolan and as modified for pastoralists and fishers above.

"Now, the AIFF-RS calls for a nationwide movement to assert forest rights along these lines," he informed.

In response to the call of AIFF-RS at its last meeting members of AIFF-RS from different parts of the country mobilised the Gram Sabhas to send a memorandum to the Supreme Court and concerned state government functionaries protesting the eviction of forest dwellers and forest dependent communities based on limited application of Forest rights on the ground, he told. Following this report at the meeting of AIFF-RS at Delhi on 14th and 15 June 2019, it was decided to mobilise Gram Sabhas across the country on the issues related to the proper implementation of the Forest Rights Act, implications of the Supreme Court Order, Draft National Forest Policy 2018, Proposed Amendment to the Indian Forest Act 1927, CAF Act 2016.

Mr Kunjur lamented that the democratic process of having dialogues with the Adivasi organisations before declaring any legislation was not conducted before the notification of CAMPA Act or the New Draft Policy on Forests.

"The process itself was flawed. The content is in violation of the Indian Constitution," he claimed.

"We call on the Ministry of Tribal affairs to give serious thought to these developments and provide the support, provide necessary guidelines and issue instructions to the state governments to act accordingly. The AIFF-RS is willing to provide its help to the Ministry in this regard," he said.

According to him, the demands include: (a) proper implementation of the Forest Rights Act in letter and spirit duly recognising the primacy of the Gram Sabha in the process of initiation of claims and applying proper process for recognition of rights outlined in the Act and the rules; (b) notification to the State Government for reviewing of Forest Rights Claims keeping a. in mind; (c) recognition of the role of the Gram Sabha in the preparation of micro-plans for forest protection and management under Community Forest Rights; (d) ensuring that work done in the village is done by wage labour and not by JCBs so as to ensure that livelihood and survival needs are met in the course of implementation of development works. JCBs also destroy the biodiversity in the village and hence should be avoided; and (e) stop the violation of Forest Rights Act 2006.

The AIFFRS consists of several organisations like the National Adivasi Alliance and the Akhil Bharatiya Mazdoor Kisan Sangharsh Samiti (both national); Rajamoola Adivasigla Vedike, Budakakattu Krishikara Sangha, CORD (All Karnataka), TAAK, HUMANE TRUST, VRDP (Tamil Nadu); JWALA (Kerala); Dharatri (Andhra Pradesh); Disha (Chhattisgarh); Ghumantu Pashupalak Mahasabha (Himachal Pradesh); Eklavya (Gujarat); Seba Jagat (Odisha); and Jharkhand Jungle Bachao Andolan (Jharkhand).

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