

Report of National Level Roundtable Discussion on “Forest & Rights over Natural Resources”

Date-19th March 2015

Organised by



**Adivasi Janjati Adhikar Manch
(AJAM)**

National Level Roundtable Discussion on “Forest & Rights Natural Resources”

A National Level Roundtable Discussion on “Forest and Rights Natural Resources”, was organized by Adivasi Janajati Adhikar Mancha) (AJAM) on 19th March 2015 at Indian Social Institute, New Delhi with participation of more than 70 participants across 11 states. The participants held from various people’s organizations, civil society facilitators, members and leaders of forest dwelling communities, media persons, advocacy groups associated with the issues of tribal rights and natural resources participated in the roundtable discussion. Kishan Sabha (Himachal Pradesh), Adivasi Adhikar Manch, Jharkhand Jangal Bachao Andolan and



Gram Swaraj Abhiyan (Jharkhand), Eklavya Sangathan, Gujarat, Adibasis Janjati Vanadhikar Manch, Van Uthan Sansthan and ITITP (Rajasthan), GBPSS (West Bengal), Himalaya Seva Sangha (Uttarakhand), Niyamgiri Surakhya Samiti, PANCHU and SEVA (Odisha). Melghat Janhit Sagtna and Lok Panchayat (Maharashtra), Saharia Sangathan and Bhu Adhikar Abhiyan (Madhya Pradesh), Programme on Women’s Economic Social and Cultural Rights (PWESCR), Delhi and People’s SAARC, Delhi and individual activists among others have joined in the programme.

programme started with the welcome to the guests and participants by Suresh Bhai Gurjibhai Choudhuri of Adivasi Janajati Adhikar Manch. This was followed by a self introduction. Then Suresh bhai handed over to Dr Sricharan Behera to facilitate the programme. Dr Behera in a brief introduction about the programme has urged all the participants, people's organisations and civil society groups to work sincerely and help the forest dwellers in recognition of forest rights and taking legal control over their forest resources by using FRA as an instrument". "Unless we act and help the community in addressing the real situation of injustice and to take control over their community forest



resources, the sole objectives of the progressive and historic law would have no meaning at all", he emphasized. Briefing on the agenda of the roundtable discussion Dr Behera requested Mr. Richard Mohapatra, Managing Editor, Down to Earth of Centre for Science and Environment to speak on a topic "Contemporary Challenges to the Forest Rights of the Forest Dwellers", as a guest speaker to give an idea on the emerging threat and challenges on the implementation of FRA 2006 and recognition of forest rights of the forest dwellers. On recognition of forest rights of forest dwelling communities Mahapatra has gone beyond FRA. On his deliberation he mentioned two types of profit the forest dwelling communities would get under FRA-individual forest rights and community forests rights and resources. In has cited two examples from Nepal and Mexico. Nepal has given all kinds of rights to the communities, particularly the timber rights besides the rights over minor forest produces. Mexico has given all forests to the community. Nepal has given rights over small patches of forests land to the community whereas Mexico has given all the forestland to the community. He also emphasized on the issue of rights over timber in India. The income from timber is much higher than the income people derive from MFPs. Though the recognition of rights over minor forest produces are somehow addressed, the rights over

timber has not been clearly recognised and asserted by community under FRA. He also of the view that “although I do not personally support JFM/VSS, but under this the concerned villagers are assured to get share of benefit from timber with forest department. But then, in practical situation the actual benefit community receive through VSS from timber is far from reality”. He suggested that we should now give more focus on rights over timber along with other community forest rights. He argued that if govt manages and harvest timber why not the community, which got right of management and conservation of community forest resources. He further argued that “If insurance company invests in timber why not the community?”

The sharing of issues and presentation was made by participants from different states, beginning from Kamal Shankar from Udaipur, Rajasthan. Kamal said the atrocity of the forest officials against the community is increasing day by day. The local leaders and representatives also in nexus with forest officials are also creating problems for the community during collection of MFPs. There is complete lack of understanding on FRA by the community as well as inadequate understanding among government officials.

Lalita Ben from Gujarat states that individual forest rights are recognised in the name of forest officials but not to the real forest dwellers cultivating forest lands. He also stated that those tribal families getting benefits from govt schemes and



programmes are debarred from getting land rights under FRA in Sabarkantha district. Even whatever the titles are received by the individuals does not have signature of authority, GR No, etc for which the authority subsequently not accepting the title as valid.

Banshi bhai from Gujarat stated the serious problems faced from State government and politicians who are obstructing the recognition process of forest rights of tribals. While the community are arguing with officials of the district administration, they said that the top leaders in the state government have instructed not to recognise the rights of Adivasis. Besides, the lands of adivasis are purchased by the Dalal's in though away prices and fencing by encroaching and covering the nearby unrecorded forest lands in Gujarat. State officials are protecting and patronising those elements. Now the government is establishing police outposts and campus to ruin the tribals and also to those people working and facilitating the process on implementation of FRA. Adding to the issues Suresh Bhai

Choudhuri informed that in Gujarat rights over bamboo has not been recognised to the forest dwellers.

Ramsigh Javedkar, Vidharba region of Maharashtra stated that forest department is misguiding by saying that if those people got CFR Title are not managing properly the department will take over from the community. He was also concern over the atrocity and harassment made to the women by forest officials during collection of Mahua and other minor forest produces.

Janki bhai of Bundelkhand area of Madhya Pradesh informed that the forest department officials have demolished the houses and crops of the tribal forest dwellers by using JCB machine. Crops of Kol adivasis of Kararganj were damaged and taken away by forest department.

Akshay Jasrotia said "when we submitted claim and asked for processing of claim forest department obstructed and said that we have no order from top hence could not support in verification process". More than 100 claims submitted in protected areas but they are not taken forward. He also said "in Himachal Pradesh our major economy is forest based. We have also traditional timber rights without paying any price."

Sri Tarun Joshi, Himalayan Seva Sanstha, Uttarakhand expressed his anguish over the attitude of state and political masters in playing the game with the poor. On the one side state has enacted the law to recognise the rights of adivasis but on the other side blocking the roads for implementation. He also urged the audience to fight with all efforts to challenge these anti-adivasis forces and continue the struggle more unitedly to defeating such forces.

Dr Beleram Ghogra in his observation suggested the house for protecting the traditional system and practices of resource management and governance through FRA and PESA. He argued that "the top down officialdom should be changed."

Sanjay Basu Mullick from Jharkhand Jangal Bachao Andolan in his comment said that "this government is not afraid of dialogue and documents and not even the judiciary. It can only afraid of its voters and mass Morcha. Therefore, we all should be united work for peoples' democratic movement in the struggle for our



rights over natural resources and force the government to respect the law of this land.”

Madhav Swain, young forest rights activist working in Nabarangpur district of Odisha has stated that “in many parts of the tribal regions the villagers are not aware about FRA and their rights. Taking the chance, forest department officials have been forcefully promoting formation of JFMC/ VSS and expanding plantation in the forestland which the community has been traditionally cultivating as well as within the areas of community forest resources, by cleaning and making loss to the traditional biodiversity.” He also informed that “when we make the villagers of Jamdura and Gaontiagaon aware about FRA and CFR rights they were astonished and shown discontent over the politics of forest department.”

Among others Xavier Kujur, Jharkhand, Rahul and Sumitra Adiwasi from MP and Sinamali Huika from MP called for united and continuous fight against the dilution agenda of the power of Garm Sabha vested under FRA taken forward very fast by the present government. The discussion was held on the issues placed in the draft memorandum addressed to the Ministry of Tribal Affairs, Government of India by AJAM and suggestions from the participants were incorporated.



Ms Harabati Gond, President AJAM who joined in the programme in late due to delay of the train has made her observation on the critical situations of the implementation of FRA in various states and the ongoing process to dilute the power of Gram Sabha by the Government to snatch away the rights of forest dwellers and handing over all the resources and lands to the corporate. She warned that this government is an attempt to force the Adivasis to sale tea in the industrial places and reduced to beggars.

Finally extended her hearty thanks to all the participants and call for collective and united with a stronger capacity in the more challenging days coming ahead.