

Union tribal affairs minister V Kishore Chandra Deo firm over tribal's rights over forestlands

NEW DELHI: Differing from the Prime Minister's Office (PMO), Union tribal affairs minister V [Kishore Chandra Deo](#) has stood firm on tribal rights granted over forestlands through the Forest Rights Act (FRA) as the government sought more time from the Supreme Court to finalize its position.

The government's plea in the Vedanta case comes in the backdrop of differences on the consent clauses involving gram sabhas.

Deo told TOI that "I have previously stood in favour of the August 2009 order (of the environment ministry) and I am against any dilution in the order. The core of the order and this issue lies in the constitutional provisions safeguarding tribal rights."

The minister is referring to the order of the environment ministry, which was the key reason for UPA's decision to deny Vedanta's project to mine bauxite in the Niyamgiri hills — a schedule 5 area in Odisha. The order mandates consent from affected gram sabhas in tribal areas where project proponents require forestlands. Such consent was made mandatory in 2009 by the UPA in order to bring the forest clearance process in compliance with its flagship FRA.

But, the order has recently turned into a bone of contention within the government. The PMO has asked the two nodal ministries to dilute it, advocating that the need for consent from gram sabhas in tribal areas be done away with for most projects requiring forestland.

At the other end, the appellants in the Vedanta case have opposed the order as well in the apex court. It has also come under attack from sections of the industry and infrastructure ministries.

Deo reiterated that Vedanta's mining in the schedule 5 area of Odisha fell foul not only of the FRA, but also of the constitutional provisions that regulate alienation of land from tribals.

"The government cannot agree to handing over or lease out tribal land in the schedule 5 area, through any route to a corporate house or private entity which is not owned by scheduled tribes," he told TOI.

Deo said he would work with the Union environment and forests minister [Jayanthi Natarajan](#) along these lines to finalize the government's response for the Supreme Court.

Sources in the green ministry said it had sought two week's time in the Vedanta case to ensure a joint formal position after consultations with the tribal affairs ministry.