

Groups associated with the Left parties and the Campaign call upon the PM to halt the illegal effort to bypass the FRA for projects.

To:

Dr. Manmohan Singh

Prime Minister of India

New Delhi 110001

Sub: Condemn moves to bypass Forest Rights Act when taking forest land for large projects

Dear Dr. Manmohan Singh-ji,

For the last five years, notwithstanding vociferous protests from people's organisations and political parties, the Government of India has been engaged in massive and grossly illegal grabbing of forest land. This has happened despite the passage of the Forest Rights Act in 2006, which recognised people's rights over forest resources and their legal power to protect and manage them. It is continuing despite adverse comments by a Parliamentary Standing Committee, protests and mobilisations from across the country, and rhetoric from your government about its commitment to adivasi rights. Even the Minister of Tribal Affairs in your own government, Shri Kishore Chandra Deo, has twice written letters to highlight this illegality. None of this has deterred the Environment Ministry from continuing on its illegal rampage.

The law requires that no land can be taken for a project without a certificate from the affected gram sabhas that their rights have been recognised under the Forest Rights Act, and that the concerned gram sabhas consent to the diversion. As the Minister of Tribal Affairs put it, this is being "honoured in the breach" and the concerned statutory bodies are "misleading project proponents and the public", thereby "produc[ing] conflict, harassment, injustice, delays and litigation."

You head a government that has already faced massive public anger for its callous and corrupt favouring of private interests. One would, therefore, have at the least expected you to halt this

massive scam - which rivals the coal and 2G scams in proportion - and With Adivasi Organisationstake steps to prosecute those responsible.

Instead, we are now shocked to hear from media reports that your office, and in particular a committee headed by your Principal Secretary Pulok Chatterjee, has been engaged in a push to bypass the Forest Rights Act for most projects. On the specious excuse of delays in project clearances - which have been shown by none other than your own Environment Minister to be the result primarily of faulty documentation, fraudulent proposals and attempts at engaging in speculation - the rights of the some of the most oppressed of our fellow citizens are to be thrown to the winds. The committee's recommendations directly violate the FRA and, in Scheduled Areas, the Panchayats (Extension to Scheduled Areas) Act (as well as by implication the Fifth Schedule itself). Delay is no ground for bypassing laws. The alacrity with which your government seeks to serve the interests of land and resource grabbers, while dilly dallying and dragging its feet on protecting tribal rights, exposes the real character of the UPA government's administration.

We condemn this transparently corrupt, illegal and repressive move. We therefore call upon you to:

Uphold and strictly enforce the Forest Rights Act and the 2009 order of the Ministry of Environment and Forests for FRA compliance, ensuring that no forest land is taken without gram sabha consent and without certificates from gram sabhas that rights recognition is complete;

Start criminal prosecution against officials who have diverted or tried to divert forest land without respecting people's rights;

Withhold existing clearances for diversion of forest land. They should be canceled if found to violate the provisions of the Act or the 2009 order. Where projects have already come up, those affected should be rehabilitated as well as granted additional compensation for the criminal violation of their rights (along with prosecution of those responsible).

Com. Bajuban Riyan, Chairperson, Adivasi Adhikar Rashtriya Manch and Member of Parliament, Communist Party of India (Marxist)

Com. Prakash Jha, Executive Committee member, Akhil Bharatiya Adivasi Mahasabha (assisted and guided by the CPI)

Com. Rajaram Singh, General Secretary, All India Kisan Mahasabha

Convening Collective, Campaign for Survival and Dignity