

# Destroying India's forests and their indigenous owners

Sunday 13 May 2018, by [KOTHARI Ashish](#), [RAMNATH Madhu](#) (Date first published: 23 April 2018).

**If the Indian government really meant what it said by “building on our rich cultural heritage” and “participatory”, would it not seriously review why laws meant to give adivasis the self-governing space they need, are not implemented?**

Forests have been the cultural and livelihood lifeline for hundreds of millions of people in India, not to mention home for thousands of species of plants and animals. They have an exalted place in virtually every spiritual and religious tradition, in their civilisational history, mythology and folklore, scientific traditions, and even in its politics. So when any government announces a new National Forest Policy, there should be widespread dialogue around the most important question: will it safeguard the most crucial values of India's forests? From an examination of the draft policy put out by the government on 14<sup>th</sup> March 2018, the answer is a resounding no.

The draft National Forest Policy 2018, gives the following justification: “low quality and low productivity of our natural forests, impacts of climate change, human-wildlife conflict, intensifying water crisis, increasing air and water pollution and deteriorating environment have been the issues of serious concern.” It adds that “there is a need to revise the National Forest Policy 1988 in order to integrate the vision of sustainable forest management by incorporating elements of ecosystem security, climate change mitigation and adaptation, forest hydrology, participatory forest management, ... while building on our rich cultural heritage of co-existence and relying on our rich and diverse forest resources.”

These are noble intentions indeed, worthy of a government with a vision that is concerned about the environment as the backbone of people's culture and livelihoods, as well as a global heritage vis-à-vis climate change mitigation. India has been participating in several international summits and conventions and has committed itself to various such goals. But we need to pause and ask: does what is happening at home give us cause to have faith in these intentions?

## **Protecting industrial-commercial, not community, interests**

For the last two decades, we have had some major legislations that have been enacted to safeguard the interests of adivasi and other forest dwelling peoples – arguably the most marginalised populations in the country – such as the Panchayat Extension for Scheduled Areas Act 1996 (PESA), and the Forest Rights Act 2006 (FRA). “Safeguarding” such interests should mean protecting forests and lands in which such communities live or on which they depend, from industrial and corporate interests, and giving such communities a central role in their governance.

Unfortunately, commercial-industrial, not community, interests have been supported by the state quite openly, especially in the last three decades of economic globalisation. Examples are coal mining in northern Chhattisgarh, bauxite mining in Odisha, granite quarries in Andhra Pradesh,

hydro projects in the western and eastern Himalaya, industrial leases in Jharkhand, economic-industrial corridors in western India, and many more. More than one observer of adivasi affairs in central India has traced the cause of their alienation and the ongoing insurgency in much of that region to the callousness of the Indian state when dealing with the adivasi people. Similar discontent, though remarkably not yet violent, has been brewing amongst non-adivasi forest-dependent people in other parts of India, such as nomadic pastoralists in Uttarakhand, Rajasthan and Madhya Pradesh.

Despite provisions in the law, and the use of the Right to Information Act 2005, the government has paid insignificant attention to the interests and the well-being of the forest peoples of the country. A 2010 Government of India committee exposed a serious lack of implementation of the FRA. Six years later, a civil society (Human Rights Law Network) review of both the PESA and the FRA in New Delhi, revealed that a mere 3% of the potential of the FRA had been achieved ten years after its enactment. Annual reports of the Community Forest Rights Learning and Advocacy Network have shown state-wise neglect or obstructions in implementation.

The PESA had been violated time and again, with cases still pending in court about gram panchayats being declared as nagar panchayats to make the PESA Act invalid. One such instance was in the Surajpur district of Chhattisgarh, where the predominantly adivasi population protested against the IFFCO power plant, and the chief minister Raman Singh announced the change to bypass panchayat powers!

If the government actually meant what it said by “building on our rich cultural heritage” and “participatory”, would it not seriously review why the FRA, which is meant to correct an unimaginable historical violation of almost 10% of our people, and PESA, meant to give adivasis the self-governing space they need as a special section of India’s population, are not being implemented? State after state has lagged behind, with some of them openly opposed to the FRA as it prevents the opening up land for investments.

Proper implementation of the FRA, especially of its community forest resource rights provisions, has the potential of addressing the twin issues of conservation as well as livelihoods. But even as communities are filing their community claims, or struggling to get themselves recognised, the state comes along with new plans, such as the CAMPA (Compensatory Afforestation) Fund to compensate for forest lands that have been diverted for non-forestry purposes with plantations.

These plans contradict completely the rights that ought to be recognised (or have been granted) under the FRA. Lands claimed by adivasi people have been forcibly taken over for reforestation through the CAMPA scheme, creating conflicts in Odisha, Jharkhand, Chhattisgarh and elsewhere. The CAMPA bill does not even mention the FRA and the adivasi lands that it may impinge upon. The draft Forest Policy, however, mentions the FRA in passing (“As far as community forest resources management under Forest rights Act is concerned, the new policy will address the same under participatory forest management and the same will be addressed through the proposed community forest management mission”), without any analysis or remark on the kind of problems and conflicts that such an approach is likely to create.

### **Water-guzzling commercial plantations**

Another major obstacle to sustaining forests and forest rights is the proposed plan to cover one million ha of land under oil palm plantations by 2030, from about one lakh ha today. 12 states (133 districts) have been earmarked for it, much of it in the adivasi and water-deficit belts – a single palm requires about 250 litres of water per day – even though we as a nation have the lowest productivity among the various oil palm producing nations.

In April 2017, Narendra Modi chaired a Union cabinet meeting to approve some of the measures to increase oil palm production in the country. These measures include the relaxation of the land ceiling limit for oil palm cultivation, and subsidies for planting materials, maintenance, inter-cropping and bore-wells. Here too the corporate sector is being encouraged with lands and subsidies for them to invest in.

At present there are 19 states where this programme is being implemented, of which seven are northeast states which are supposedly to be protected according to the draft Forest Policy. Despite the policy admitting that “.....forests in North-East have vital impact on climate, agriculture production, and mitigation of floods in the plain areas of North-East..,” Arunachal Pradesh alone has sanctioned a total of 25,000 ha of land in four of its districts for oil palm.

Some of the areas where this experiment is being tried, especially in Telangana and Tamil Nadu, are severely drought-prone. Field surveys showed that many farmers felt duped by the initial subsidies and promises but have now uprooted their plants and gone back to their original crops. The environmental, social and cultural havoc caused by large oil palm plantations in Indonesia, Malaysia and several parts of southeast Asia should be a warning to India.

The track record of the government with regard to ensuring that its laws are implemented in the right spirit – especially those that are meant for the well-being of marginalised peoples and the environment – is dismal at best, and insidiously anti-people in specific circumstances. Blatant examples include Ghatbharra, Chhattisgarh, where the granted Community Forest Resource rights were withdrawn to accommodate private interests in the coal found in the area!

It is unlikely that the prime motivation stated for the policy (low quality and low productivity of our natural forests, etc.) can be solved “through new technological advancements” and investment in new models of public-private partnerships (PPPs). The Policy says, “Public private participation models will be developed for undertaking afforestation and reforestation activities in degraded forest areas and forest areas available with Forest Development Corporations and outside forests”.

Is not a ministry, with an annual budget of Rs 2675 crores, ashamed to confess that the “productivity of the forest plantations are poor in most of the States” and that “this will be addressed by intensive scientific management of forest plantations of commercially important species like teak, sal, sisham, poplar, gmelina, eucalyptus, casuarina, bamboo etc?” Is it not unusual that among the hundreds of native plant species that are valuable and can be easily grown (*Xylia*, *Grewia*, *Syzigium*, *Cleistanthus*, *Bridelia*, etc.) we have to again pick on teak, which does not yield a crop before three decades, or sal, which has almost never had a successful plantation for more than a few years? We do not need PPPs for this but common sense and forest peoples who know the species, their growth and utility. Over the last few years, we have visited large nurseries of the forest department in some states that have shown a mere 10% survival of the saplings they have tried to grow.

### **A flawed model of development**

India also has a long tradition, and many new practices, of community based forest conservation and management. Many continue from the ancient past, as in sacred groves. Some are from the colonial times, as in van panchayats in Uttarakhand. Some are post-Independence, as in the community forests across Odisha, or the Chipko Movement protected forests in Uttarakhand. In parts of India like Nagaland there is even a new wave of forest (and wildlife) protection.

Hundreds of ‘community conserved areas’ (CCAs) have been documented across the country by groups like Kalpavriksh, TERI, Foundation for Ecological Security, and Vasundhara. It is also well established that communities will regenerate, protect, govern and manage forests, given adequate

policy and other support, at costs far less than what the forest department or corporations can do. There are even examples where exceptional forest officers have stuck their necks out to provide such support. And many places where communities have rebuilt their lives towards livelihood and food security, based on sustainable use of forest produce. The track record of these successful models is visible, but the government refuses to put its faith in communities, preferring instead to believe in the claims of corporate houses, whose credibility with regard to ecological sensitivity in India is virtually zero.

At least thrice in the last three decades, the central government has tried changing the forest policy or laws, to enable industrial take-over of forest lands. At the root of this repeated move is a deeply flawed model of 'development' and of political governance. Relying on economic growth, spurred by industrial investments and clever financial jugglery, has proven to be blindly foolish, as it has done little to pull people out of poverty and create livelihoods at the mass scale we need. If poverty is about deprivation from basic needs, over 70% of India's population remains stuck below the line; and indeed millions have been added to the impoverished by being displaced from lands needed for dams, mines, highways, and the like. Though we call ourselves a democracy, meaningful decision-making has still been kept out of the reach of people, as the state still controls financial and legal matters.

Democracy is not about elections, it is about enabling and empowering people to be part of decisions that affect their lives, on a day to day basis. We have some amazing examples of direct or radical democracy on the ground, with communities showing themselves capable of self-provisioning for basic needs and being responsible custodians of nature and natural resources, but the state simply does not build on these examples. It does not want to give over its power, as is evident in the way that even the FRA, which can enable communities to govern surrounding forests, or PESA that can enable significant autonomy for adivasi areas, have been repeatedly subverted. And so we have movements such as the latest one in Jharkhand where several hundred villages, tired of the state's neglect and heavy-handedness, have declared autonomy as 'Patthargarh'.

On every occasion that the state has tried to hand over forest lands to corporates, widespread national protest has forced it to withdrawal. Hopefully this latest cynical move will receive the same outrage, and the state will be forced or guided to look at democratically and ecologically meaningful alternatives based on the wisdom, knowledge, capacities and interests of forest communities.

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**Madhu Ramnath, Ashish Kothari**

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**P.S.**

Original title: An Anti-Forest Policy: Rhetoric or Sleight of Hand?

Source: thewire.in

<https://thewire.in/environment/an-anti-forest-policy-rhetoric-or-sleight-of-hand>