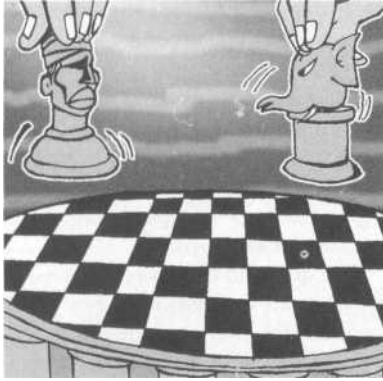


Woolly-headed environmentalist!!

Tribal rights and democracy loose to conservation banter



**India's forests survive
because tribals subsist on
them. Give them the right
to make forest thrive**

THE draft Scheduled Tribes (Recognition of Forest Rights Bill) 2005 is now an endangered idea. The bill is meant to hand back rights to tribals over land and forest produce that they have traditionally inhabited and used for sustenance and continue to do so even today.

But a campaign, more covert than up front, by some wildlife groups, has instead turned the bill into a battle of people versus wildlife. The campaign has found friends in a set of parliament members who with their powerful reach in Delhi's corridors have perhaps got away with scuttling the bill. The Union ministry of environment and forests has enjoined the battle. Albeit, the ministry does so on a pretext that only a landlord would use upon seeing his land being redistributed — it claims, only it has the right to decide who gets the land and who does not. This is something it has clamoured on for decades. And then, despite repeated promises to courts in particular and people in general, really not settled the thousands of land settlement litigation that it prefers to call 'encroachment cases'.

By its own admission in court in July 2004, the ministry commits that there are unsettled rights of the tribals in the state-owned forests that never got recognised in the post-1947 frenzy to nationalise these people's resources. The ministry goes on to admit that the state is committed to recognition of these rights. At least nine states have come on record to state how in their respective states they have hundreds and thousands of such cases languishing for the want of political will with a total of 725,861 hectares (ha) of forestland being under dispute.

It is these unsettled cases, languishing in the labyrinth of the ministry's record rooms that the bill wants to bring to an equitable end. It does not apportion any forest area to 'encroachers'. It merely says that those who have been living in forests for decades and were in the past declared 'encroachers' become owners of their land, again.

The anti-bill lobby banter around saying it would mean apportioning away prime forestland. They juggle with figures and hit fever pitch with their scare mongering. They claim that with 80 million tribals getting 2.5 ha land per family two third of India's forests will be handed over. But as the bill clearly states, only existing habitations *offorest-dwelling* tribes are to be legalised, no new forests are to be handed out. By the government's own admission it's not more than two per cent of India's forestland. Not forest cover, mark the difference.

But lets be clear, this is not a case of simplistic mathematics alone, it's a case of a catastrophically simplistic understanding of what India's forests are about. India's forests survive where tribals subsist and India's forests thrive where tribals are empowered to benefit economically from them. If the forests have been destroyed its because its existing landowner, the ministry has been either been completely ineffectual or colluded in selling off timber, other forest produce and forestlands even as tribals have born the brunt of a bureaucracy misusing courts orders to crush their livelihoods.

The bill is not settling a debate of wildlife versus people, it is a debate about whether we shall give people what is theirs to hold and manage. We can still build a green future, this time through the active involvement of people in growing and harvesting trees or in building livelihoods from the enormously rich minor forest produce of the land.

Yes, there are vital questions about how the bill shall be administered. Some of these are legitimate concerns, which in part arise out of the lack of transparency in the entire process by which the bill has come about. But this bill promises to usher the most powerful economic reform that the United Progressive Alliance government can bring about in this parliament session. It has to be done with complete transparency, but there is no doubt, it has to be done now. No 'woolly headed environmentalism' is needed here. •