

4. Forest Dwelling Communities

◆ Forest Dwelling Communities

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5 Day Training
Program for IAS
Officers in
Management of
Environment and
Natural Resources
at
IILM, New Delhi

- ◆ Presented by:
 - ◆ R P Mattoo. President
 - ◆ *Natural Resources India Foundation*
(NRIF) <http://www.nrif.org.in/>

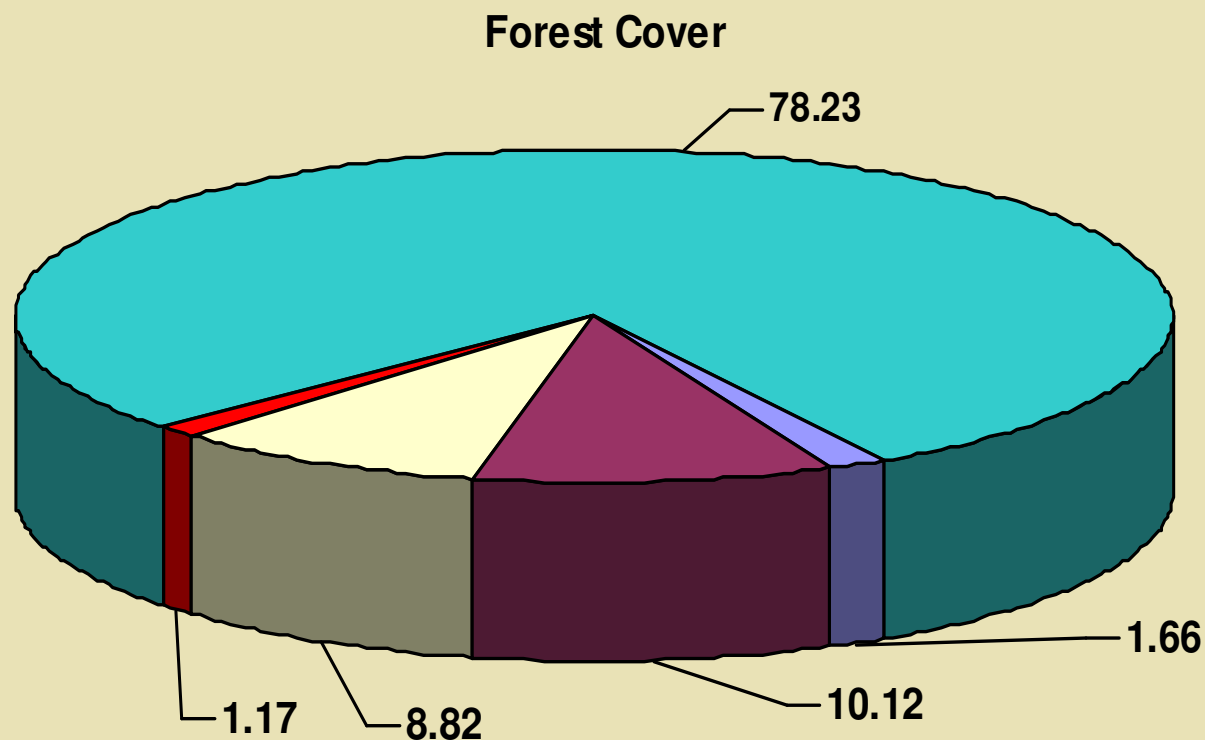
Status of forest covers in India (2005)

Class	<u>Area (KM2)</u> State/ UT=35	Area Percent of Geographic Area
Forest Cover		
(a) VDF	54,569	1.66
(b) MDF	332,647	10.12
(c) Open	289,872	8.82
Total Forest Cover	677,088	20.60
Non Forest Cover		
Scrub	38,475	1.17
Non-forest**	2,571,700	78.23
Total Geographic Area	3,287,263	100.00

* Includes 4,445 km2 under mangroves

** Excludes scrubs and includes water bodies

Status of forest covers in India (2005)



VDF

MDF

Open

Scrub

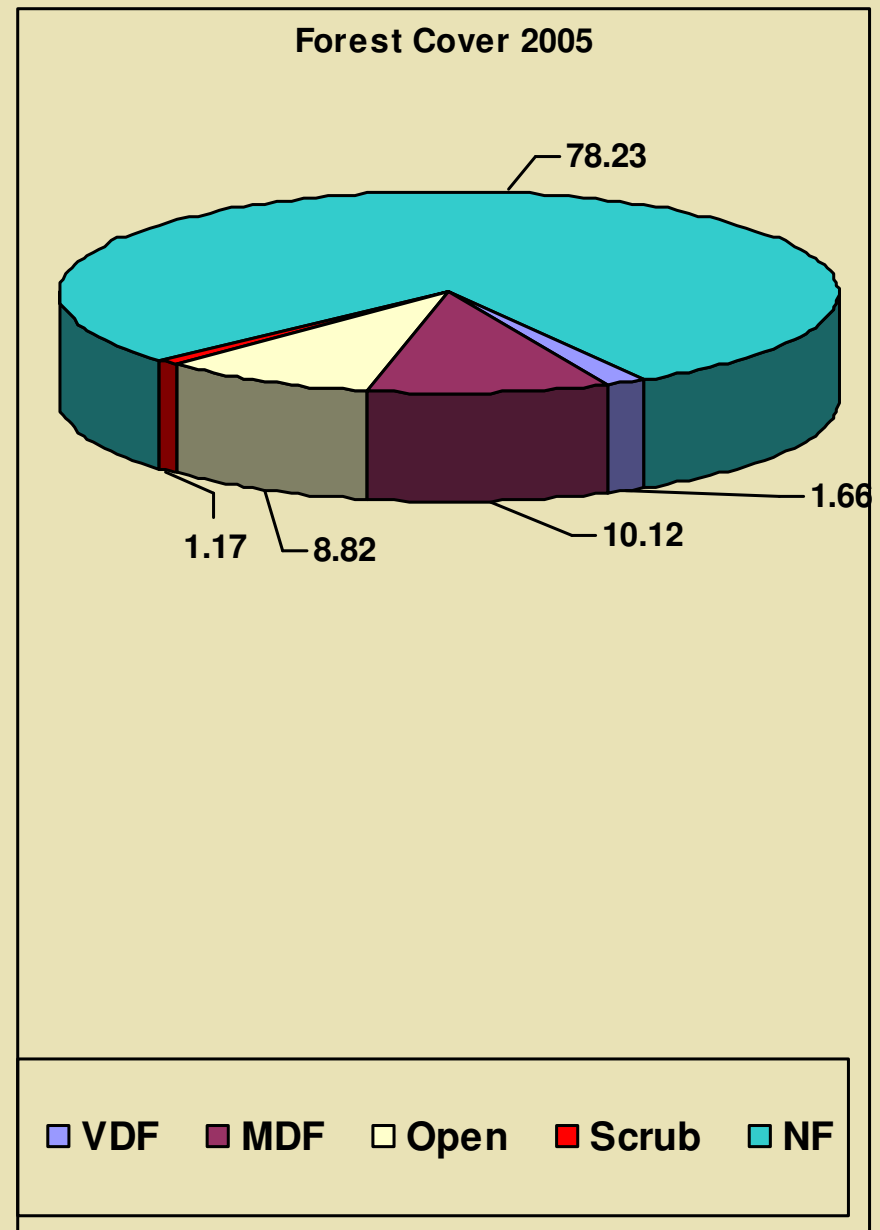
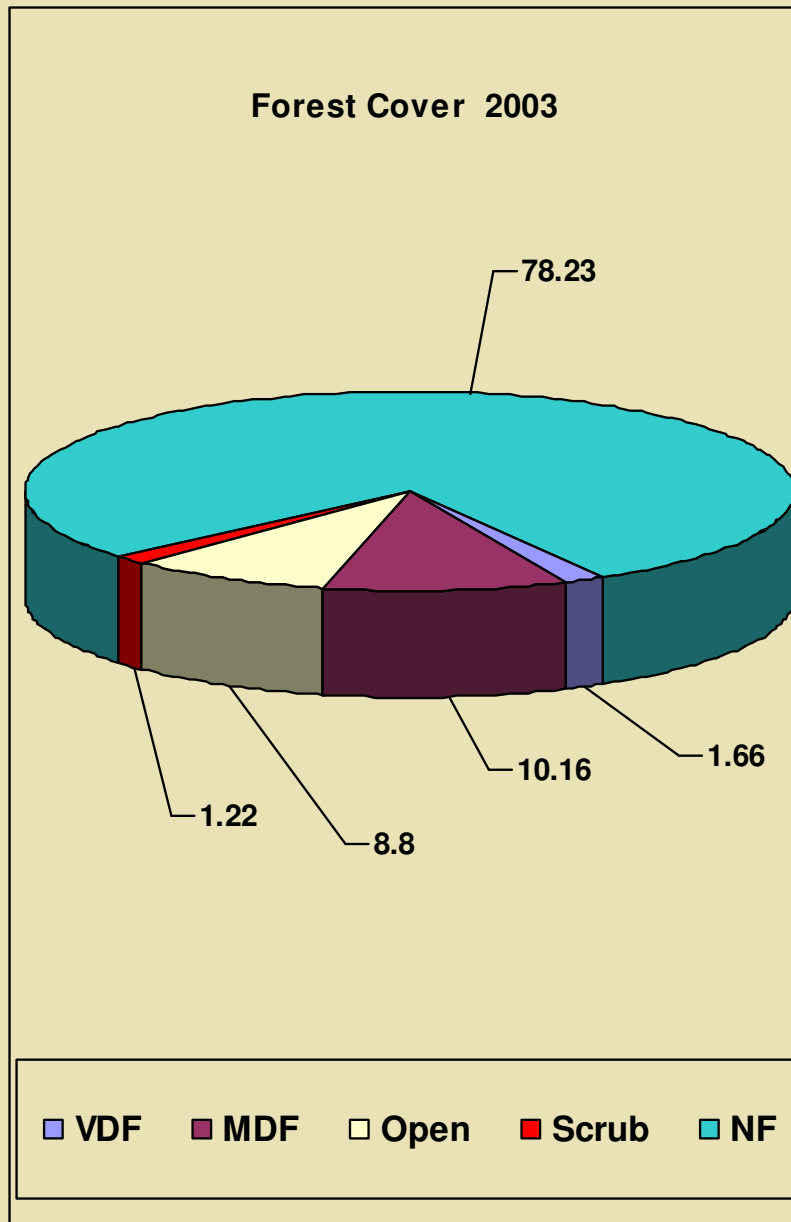
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Total Forest Cover - 20.60%

Status of forest covers in India between 2003 and 2005

Class	Forest covers in India 2003		Forest covers in India 2005	
	Area (KM2)	Area Percent of Geographic Area	Area (KM2)	Area Percent of Geographic Area
Forest Cover				
(a) VDF	54,518	1.66	54,569	1.66
(b) MDF	334,056	10.16	332,647	10.12
(c) Open	289,242	8.80	289,872	8.82
Total Forest Cover	677,816	20.62	677,088	20.60
Non Forest Cover				
Scrub	40,044	1.22	38,475	1.17
Non-forest**	2,569,403	78.16	2,571,700	78.23
Total Geographic Area	3,287,263	100.00	3,287,263	100.00

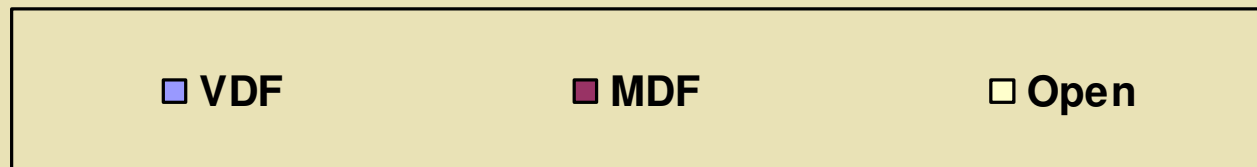
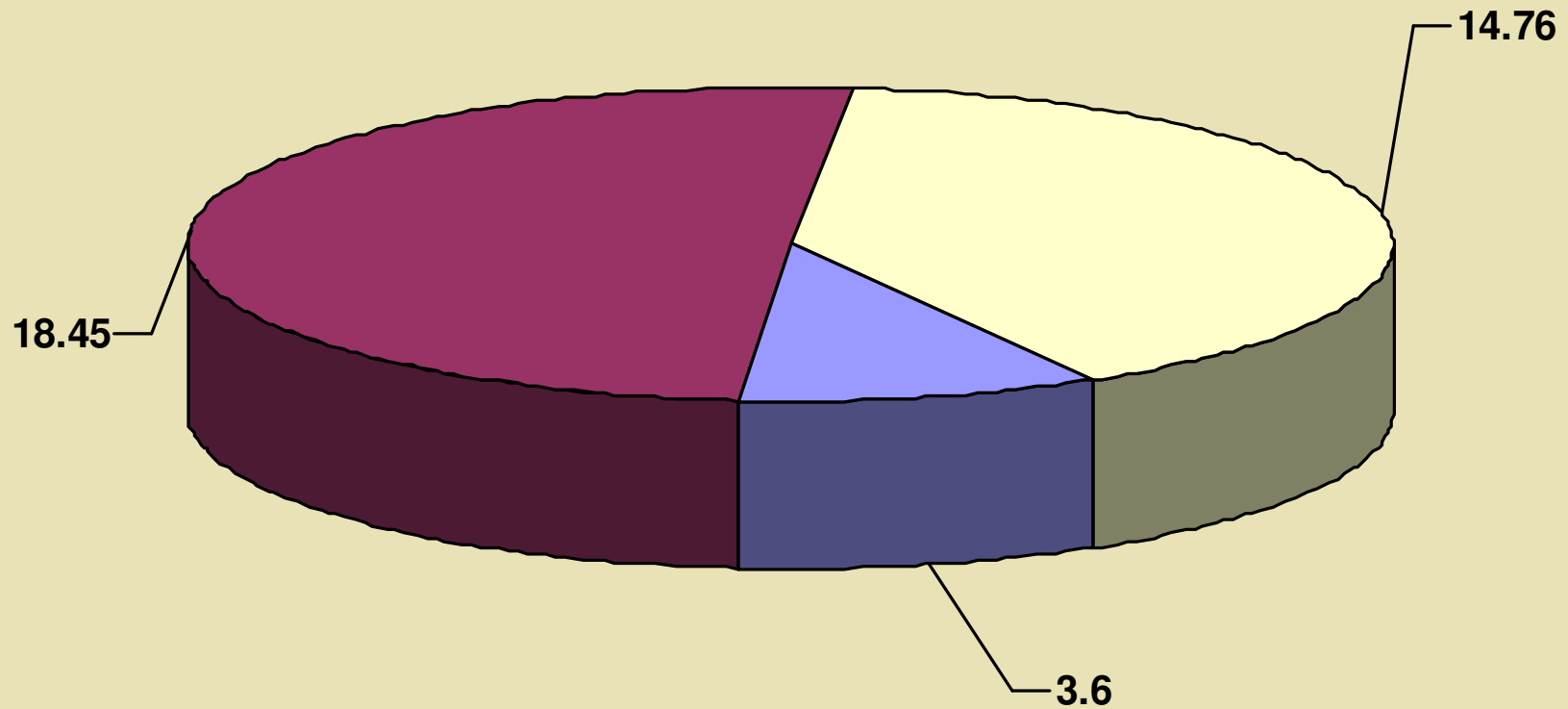
Status of forest covers in India between 2003 and 2005



Forest cover in Tribal Area-2005

Geographic Area in tribal	Forest Cover Forest Cover [Area (KM2)]; <u>States / UT=26</u> ; <u>Districts=188</u>							
	Very Dense Forest	%	Moderate Dense Forest	%	Open Forest	%	Total Forest	Total Percent of G. A
1105,744	39,775	3.60	204,065	18.45	163,192	14.76	407,032	36.81

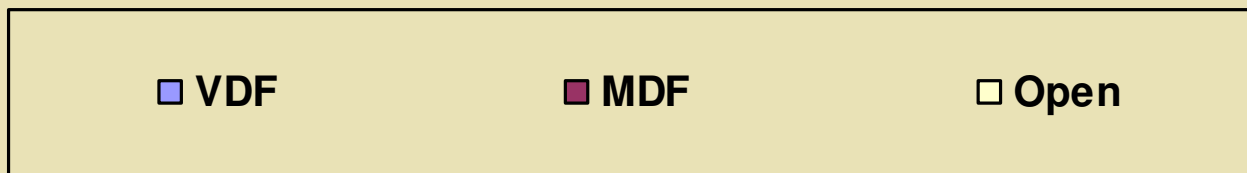
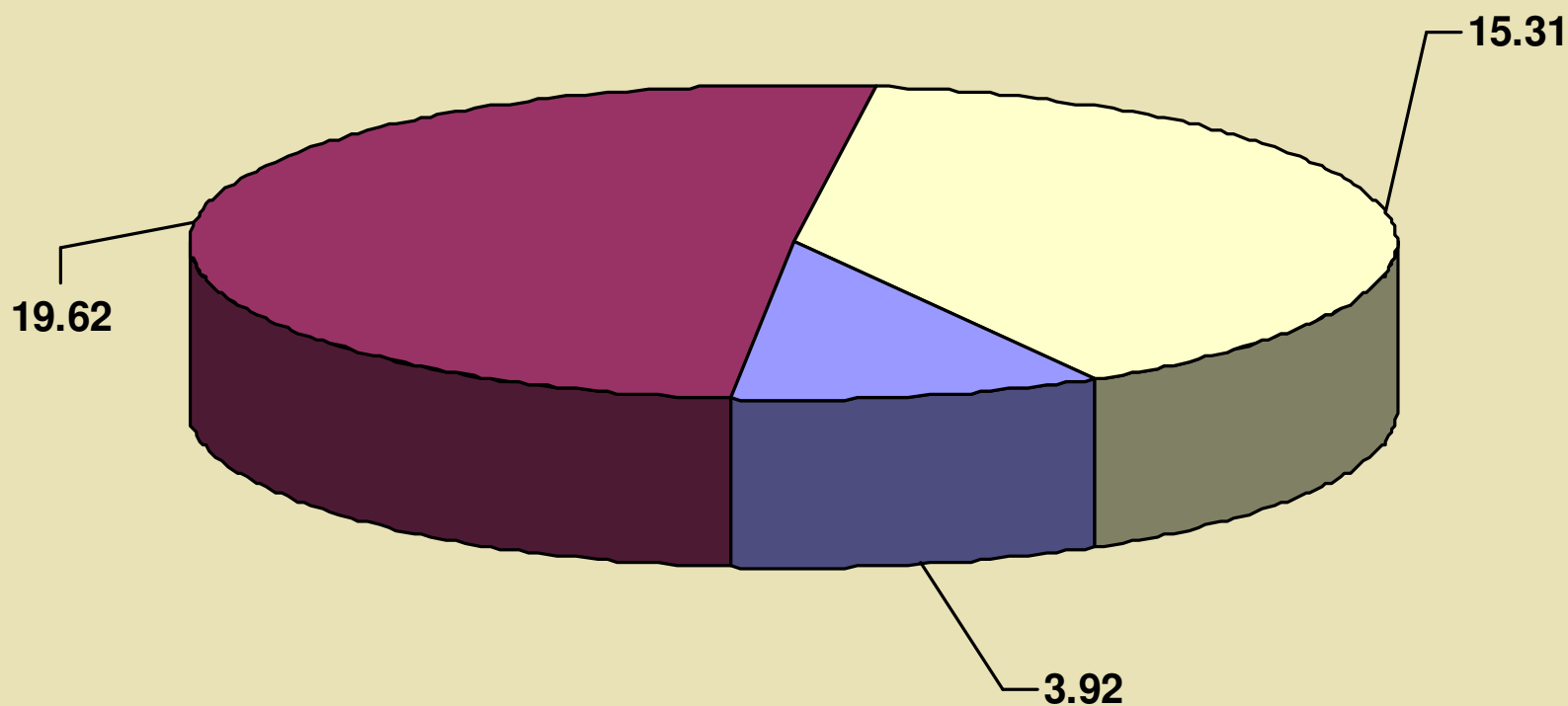
Forest Cover in tribal Area



Forest cover in hill Area-2005

]Geographic Area in Hill	Forest Cover [Area (KM2)] ; <u>States / UT=16</u> ; <u>Districts=124</u>							
	Very Dense Forest	%	Moderate Dense Forest	%	Open Forest	%	Total Forest	Total Percent of G. A
707,747	27,756	3.92	138,852	19.62	108,324	15.31	274,932	38.85

Forest Cover in hill Area



Forest Dwelling Communities

- ◆ “SCHEDULED TRIBES (RECOGNITION OF FOREST RIGHTS) BILL, 2005”
- ◆ Forest Dwelling Scheduled Tribes (FDST) are integral to the very survival and sustainability of the forest ecosystem.
- ◆ There exists a spatial relationship between the forest dwelling scheduled tribes and the biological resources in India.
 - During the colonial period as well as in Independent India though Indian Forest Act 1927 had provided for the determination of rights.
 - The problems of these communities were further compounded after passing of the Forest (Conservation) Act, 1980 when even the development activities in their habitations were termed as non-forestry activities.
 - They still do not even have a homestead and as such address of their own. They are people without identities.



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- ◆ THE ENACTMENT OF THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) BILL 2006
- ◆ Even as 'encroachments' up to December 2005 were regularized, the Act decrees that only those families who have been living in forested areas for three generations should be recognized as traditional forest dwellers.
- ◆ Hailed by various tribal rights groups in the country as a landmark in the prolonged struggle of tribal and other forest dwellers of India,



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- ◆ Indian State has finally admitted that it has committed an *historical injustice* by denying some of the rights of forest dwelling people.
- ◆ Though original bill included only scheduled tribes in its ambit, the Act includes all non-tribal traditional forest dwellers too.
 - identification of protected areas has been made more transparent,
 - communities being given some rights in the process of identification and decision-making regarding protected areas;
 - ceiling on ownership of land has been raised to four hectares per nuclear family;



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- the rights to minor forest produce have been recognized, albeit in a limited way;
- the role of gram sabhas and panchayati raj institutions in decision-making and as authorities in the legislation has been strengthened;
- and most important, penal provisions for punishment of forest dwellers have been removed.
- the Act decrees that only those families who have been living in forested areas for three generations should be recognized as traditional forest dwellers.
- Act says that its protection is only for those forest dwellers who are dependent on forests for 'bonafide livelihood needs', but the terms 'bonafide' and 'livelihood' are not defined anywhere in the Act.
- forest dwellers' claims are genuine, but they are not genuine forest dwellers; bonafide livelihoods are protected, but some livelihoods are not bonafide - are evident throughout the legislation.



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- Act recognizes community rights and authority to conserve and protect forests, wildlife, biodiversity, community and water resources, it does not provide for procedures or powers needed to exercise these rights.
- The Act removes fuel wood, which is a crucial requirement of all forest dwellers, from the original list of Non-Timber Forest Produce (NTFP) provided by the JPC.
- Instead, NTFP has been defined as produce of 'plant origin', leaving out basic mineral products like stones, slates, boulders, soil etc, and also water products like fish and weeds out of its ambit.
- The exclusion of these crucial items will only extend the clashes with the Forest Department over fishing and other activities, and continue the process of criminalization of forest dwellers trying to meet their legitimate livelihood needs.
- Similarly, instead of the status for gram sabhas that the JPC suggested - 'authority for determining the nature and extent of individual or community forest rights or both' - the Act gives the gram sabhas the authority to merely 'initiate the process' of rights determination, leaving the actual determination of rights to sub-division level committees.



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- ◆ Even the forest rights groups and activists who had campaigned for this bill in the first place,
 - National Forum of Forest People and Forest Workers (NFFPFW) , and;
 - Campaign for Survival And Dignity (CSD),
 - They are expressing discontent at the dilution of the recommendations that they had helped the Joint Parliamentary Committee put together, in the final version of the bill.
 - Earlier Act was being opposed on grounds that it will destroy forests, Central government changed existing environmental regulations so that mining and damming forest lands would be considerably easier.



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- ◆ Grants of mining leases to private companies increased enormously in forest areas. Meanwhile, the drive to forcibly acquire land for industries to set up tax-exempt Special Economic Zones was on in great force. Is it a mere coincidence that the Act comes at a time when major economic policy decisions in the country are so contrary to its spirit?
- ◆ series of clauses for protection & power of rights of forest dwellers still needs attention on the following:-
 - right to sell NTFP to persons of their choice, the right to a fair support price for these products and right to benefits from exploration and exploitation of natural resources and the right to compensation in case of damage



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- making the government responsible for protecting the rights of forest dwellers and taking punitive action against private or corporate intruders, preventing acquisition of land without the prior consent of the gram sabha and without adequate compensation and rehabilitation;
- providing equal rights of female members of all traditional forest dwelling communities and special provisions for female-headed households and widows has been removed completely;
- communities having full powers over determination of land-use patterns;
- Portion on details of the procedures to be followed in conflict resolution between gram sabhas - which gives them power to constitute committees in this regard and makes the sub-divisional committee responsible for coordinating between them ;
- forest dwellers ineligible for protection under this law rehabilitation through employment
- Suggestions from Participants



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- ◆ *Thanks for your patient hearing*

