

**FOREST POLICY IN INDIA: RIGHTS FOR THE RIGHTFUL OWNERS***Daravath Ramdas*

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*India owns approximately 10.4 million tribal land, which accounts for 8.6% of the total population and extends over 15% of its geographical area. Tribe has a very close relationship with the forest and their life and livelihood availability is in accordance with forest resources. The continuing effort for economic development and market pressure in the government has forced policy-makers to shift policy roles to large corporations. Since the colonial era forest policy has destroyed tribal rights on the forest and neglected their voices when making laws. In colonial times, legal and policy instruments transferred proper forest areas to the hands of the government from the hands of communities. Post-colonial law has given honor to the tribals but has not addressed human rights and livelihood issues of tribal people without any progress or development in law and administration in other areas such as land acquisition, development-induced displacement and political autonomy. . The government and our policy makers should not ignore the importance of the tribals and have the right to the latter by proper implementation of the law.*

**INTRODUCTION**

The tribes, also known as Aborigines / Indigenous Peoples / Adivasi / Janjithi / Scheduled Tribes, reside in the forests of ancient times. There are about 10.4 million tribal people living in 15% of the total Indian geography and 8.6% of the total Indian population. The forest and tribal are culturally and traditionally linked to each other. The tribes live in the forest biosphere and they are currently designing their life and society. Most of these live near the forest and rely on forests for their livelihood and livelihood. Their overall existence evolves around the forest, as they grow in these forest areas, recovering from pure water, gases, food, medicines, shelter and recreational retreats from these forests. Unlike tribals, edible and herbal roots, tubers, creepers, fruits and leaves, they get food from tribal cultivation or forest. There are also small forest products (MFP), which contain a variety of foods including cattle and grass, bamboo, sticks, leaves, gums, waxes, colors and resins and nuts, wild fruits and honey. (1976) Agriculture (1976) Agriculture (1976) Agriculture (1976) Non, Seeds, and Olivesins, and vi) Leaves (Prasad, 2011). Forest areas are a part of tribal social life because its importance is not just economic, social, mental and religious. The tribes worship the trees, shrubs and animals that dwell in the woods, the totem and their gods and the ancestors of the ancestors believe in the forest. Hence they should not make it unusable, but it is not preserved by their traditional conventional methods. The symbiotic relationship between wild and tribes is recognized and crystallized by the customary right of forest construction. The Forest and Tribal Committee in India (1982) states that "they are not only forest dwellers, they have developed a livelihood for centuries,

on the one hand, forest ecology and forest resources, on the other hand, analyzing the forest's own unique and conservative systems Protected against deforestation by man and nature Whether ensured.

10 years ago, historic Scheduled Tribes and other traditional Forest residents (spotted forest rights) were enacted in the Lok Sabha. The concept and nature of this has been the result of decades of struggles and sacrifices due to the commitment and efforts of millions of tribals, their organizations, and many activists and intellectuals working on tribal issues, and India.

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## ATTEMPTS AT DILUTION

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A century ago colonial pastoral forests and its resources were made by tribal owners to the invaders. A decade ago, the Indian descendants of this cheating legacy were working for the last moment against the bill. Forests, mining companies, private power companies, irrigation projects, timber, paper industries and forestry resorts are the largest shareholders in avoiding the tourism industry bill. They are in the institute of wildlife and ecosystem groups with their close ties with powerful forest forest officials. The United Progressive Alliance (UPA) has the earliest personnel in the government hierarchy, even though they are a major audience.

Some important recommendations of the Parliamentary Select Committee on Community Forest Rights were successful in meeting their access to small forest products and more. The number of tribal traditional wildlife has almost refused to include these poor communities for 75 years as evidence of their aggression, many of whom are dalits in law. The Left parties proposed that the Supreme Court-proposed cut-off year 1980 for these departments was correct and the cut-off year 2005 for tribal groups. However, at the last moment, the government is secretly a 75-year rule in three generations.

The bill with these vicious clauses has been distributed and is immediately listed for discussion and publishing. As soon as we saw it, the selection committee chairman Kishore Chandra Deo, I went to the room of Pranab Mukherjee, then the Foreign Affairs Minister and left for the bill on behalf of the Government during the talks. Finally there was a small drama and serious debate on his senior call with tribal affairs minister PR Khandi Raja. He assured us that he would make amendments to the bill in discussions. There is no option to accept the assurance at the face value at that time. It took more than a year to include the bill that was included in the Parliament business agenda. Powerful lobbies against the bill once again prevent it. The Bharatiya Janata Party (BJP) played a fake role - its Adivasi MPs supported the bill, while others died on it. They were promoting MPs from the Northeast that they would legitimize the law of "illegal Bangladeshi" if they agreed. It is totally misleading, but it's good for any war on tribal rights.

### The missing amendments

Bill became a law but did not promise without promises. Following a lot of discussion and stress, some of them are included in the rules. It's also a big fight. There is a strong group of activists who work on the Code of Good Rules along with the Left Representatives. It was given importance to the role of the gram sabha.

Despite its flaws, the Forest Rights Act (FRA) is a powerful tool to protect the rights of tribal groups. This is a disturbance for corporate interests to exploit India's mineral resources, their free exploitation of forests and water. But the Narendra Modi government is implementing its plan to weaken and divert this process in many ways.

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## NEW ATTEMPTS AT DILUTION

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First, the FRA has brought a series of legislation to suppress the rights and security of the tribes, the situation of "free information consent" from the gram sabhas, the removal of tribals from the forest areas and the package for rehabilitation or rehabilitation. The Modi government took these laws without consulting the tribal communities. They have amendments to the FRA to minimize Mines and Minerals (Development and Regulation) Act, Compensatory Office Fund Act Act and FRA. The need for public inquiries and gram sabotage was eliminated for medium-sized coal mines. BJP state governments and partners introduced government commands to suppress the FRA in the National Democratic Alliance, the Telugu Desam Party in Andhra Pradesh. In Telangana, in the total violation of the FRA, the government illegally adopted forest lands and traditional practices. The Jharkhand government has brought amendments to the Chottanagpur and Santal pargana leases. These will remove the rights of the gram sabhas, corporates without real estate, real estate players, private educational and medical institutions, compliance. The government has issued a "Village Rules" notification on all rights to forestry management to the government-sponsored committees opposing the gram sabha in Maharashtra. This is a law-based attack.

Second, there is a policy-based war. The Modi government has made its commitment to "make business easier" to clear private sector projects in tribal-fed forest areas. The National Board for Wildlife, along with the Prime Minister along with the Prime Minister, reduced the number of independent experts from three to three members, comprising relief officials. In the first three months, the Modi government separated the 7,000 hectares of forest land from 41 proposals. There is a huge stake in Gujarat companies. Two years of "clearance" of projects permits - or to catch appropriate land - up to 1.34 lakh hectares of forest land. This will lead to a large displacement of tribal communities in many areas. The central government has now given a national status in the multipurpose polavaram project in Andhra Pradesh, affecting about 2 lakh hectares of forest land to 85,000 families, including over half of the tribals, including 100 residences of tribal tribes. In almost all these projects, the affected tribal families have not yet received their maps (land ownership documents), one of the conditions assigned by the FRA. The legitimate security of the tribals has been neglected and neglected by the policy and the source of the policy.

Third, the FRA has a deliberate freeze of actual implementation. Individual maps or charts are not provided for community forest resources. The implementation of this law during the UPA-II government was almost hijacked by the Ministry of Environment and Forests and rejected the claims. But now the situation has deteriorated, and the Modi regime's rejection rate has increased. According to an analysis, between May 2015 and April 2016, eight out of every 10 claims were rejected. It is in the operation of 'Gujarat Model'. FRA is one of the worst records in the implementation of the program. While 98 per cent of the 1.9 lakh tribal claims have been approved by the Gram Sabha, officials in the sub-divisional committee approved only 38 per cent. Left-wing state, such as Tripura, is contrary to 98% of tribal claims and titles are given.

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### MIXED SIGNALS FROM THE JUDICIARY

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The judiciary also has a role to play. The same company and historical Niigiri judgment also included a number of contradictory petitions to the FRA, and they provide a sympathetic inquiry as tribals hope through Samata judgment. In January last year, the court issued notices to all the state governments in an ominous interference in a petition filed by the Wildlife Trust of India and others. "Such arguments have been made and rejected after state declines in the territory and the rejection and the consequence of taking the state". It was taken correctly by tribal groups and their organizations for collective removal. Maharashtra issued a Maharashtra notification on April 23, 2015, directed by police to take action against "detected encounter" and rejected their arguments. Until 1985 the department of "tribal affairs" was in the Ministry of Home Affairs. Tribes of tribal rights and justice are considered "a law and order problem, always a problem". This return policy is resurrected in the current exclusion.