

FLIP-FLOP-FLIP

A critical analysis of the RFR Forest Act 2006

Biswendu Bhattacharjee



It's a ploy,
simply to
deceive and
bluff the people
to win over the
heart of a
section of
innocent forest
dwellers but

definitely detrimental to the people of not only our country but for even for our very existence. It is considered to be largest threat, the biggest folly that the country made, after independence. And it is considered to be blow which the country which the country received from within, imposed by our own law makers without realizing the fact that it shall have far reaching consequences and shall pose a serious challenge no, a threat to our very existence,

to our economy to our plan for carbon trading, which India is now planning to tide over the energy crises. I must humbly accept that the role of Media on this count was dismal, we did not react vehemently, we did not protest and our myopic politician for their ulterior benefit took away our precious resources by hoodwinking the people to whom they swear to serve. The gamut and depth of the issue of handing over of precious resources to mafias in proxy has not been understood by the people and by the time we rose from the slumber, it was too late. Since the issue has carefully crafted with the livelihoods of the traditional forest dwellers, the nature lovers, environmentalists and media took time to gauge it and before we could muster the opinion the "The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act" in common parlance known as the RFR Act was passed in the Parliament in 2006.



Like a bad penny that never stops rolling from one hand to the other, the issue of forest

rights- the RFR Act is in the news again. It had returned to the headlines when a section of media understood it's long-term implications, how would it affect to our own survival and they have, though late, started lobbying against the Act. They slam it as the " The most dangerous act of any Indian government ever since 1947", handing out "Forest & forest land for votes" and " Privatizing the precious national resource" but sadly again the so called pro-green media failed to mount the required pressure without which the act can not be repealed, can not be thrown to the dust bin. It is fact that a handful of conservationists have voiced their concern, raised the issue with dire warnings, the catastrophe

looming large, that the country and the government surely have to face in very near future. Possibly it is only act which has been attacked, challenged by a TV ad campaign.

I appeal to our policy makers to get up and face the reality, to go through the provisions of the act and see for them how clandestinely the politicians of all hue and colours have joined together and robbed the country of its precious resources. It is a ploy to cover their corruption, their nepotism, failure to deliver the goods and services for which we appointed them to serve us! We failed to provide a decent living to our forest dwellers despite several five year plans and drainage of huge state exchequer but the plight of the people have further deteriorated over the years. The nexus of so called Civil servants and politicians have robbed away whatever little that the people had, the right that a citizen must enjoy and now after sixty years of independence the same nexus came to the unique conclusion that the ill is in-not having right over forest land!

The forest land which balances the nature and provides us the food, the feeds, water and environment, shelters our wildlife have become a product for trade! It ia game to distribute our forest land or whatever has remained in its name to the mafias in proxy and in the process can buy votes to rob for perpetuity. It is not a welfare scheme that the politicians try to paint. It is not a panacea to the problems that our forest dwellers afflicted with. The politicians have no right to distribute the largesse and in the process buy votes. The diversion of forest land shall rather bring disaster to our people, economy, natural resources, to the future of our children, to our existence. The only way to get rid of it is to repeal and cancel to act. We should firm up courage and tell politicians not to play with our life and survival, not to play with our destiny.

There is no doubt that India's forest and wildlife laws were built around a model of excluding people by human being – definitely it's a best example of selfish human soul. Of course, created to ease timber extraction, the Colonial Forest Act (later

changed to Indian Forest Act), aimed to bring all forests under the centralised control of the forest department and to take over the lands and rights of people who live in there. In post-Independence era when the nation had gone for massive industrial development and subsequently when the issue of Global Warming & Climate Change thrown challenges before us, we understood the need of green-land.

As on June 30, 2009 Chhattisgarh distributed 1,02,800 deeds; Gujarat 1,997; Madhya Pradesh 24,571; Orissa 30,794; Rajasthan 1,778; Andhra Pradesh 67,855; and West Bengal 5,249. Maharashtra lagged behind with 15 title deeds distributed and 1,384 ready for distribution. In her joint address to Parliament in June 2009, President Pratibha Patil indicated that the new government would monitor the implementation of the Act and ensure that the end of 2009 distributed all title deeds. The story is not different in Tripura too. Latest report said, Tripura had distributed 82,741 title deeds and the deed holders have been given the right to use 1394.73 sqkm of the total 5984 sqkm forest area

(little more than 23%). This is again media, raised the to ensure legalise access of more people to forestland and they started advocating for reducing the time-limit for non-tribal dwellers from 75 years to 25 years by encouraging left parties. According to the provision, deed would be given to the tribal family who had been residing in the particular plot of forestland on or before December 13, 2005 but in case of non-tribal dwellers it was 1930. Left front raised the issue in the parliament last time and demanded to fix the cut off year at 1950 for traditional forest dwellers and the government is in the process to consider it.

Apart from conservation groups, retired forest officials have opposed the Act in some States. Conservationists like Kishore Rithe are dismayed that such an Act should have been enacted in the first place. Mr Rithe, based in Amravati (Maharashtra) and has worked extensively in the forests of Melghat, has been observing the gradual destruction of the area. After the passage of the Forest Conservation Act, 1980, the diversion of forestland for non-forest

use had become difficult. However, the new Act reverses that. “Encroachments have increased tremendously after 2005 and people are just grabbing land,” he said. “Initially, in January 2009, there were only 10,000 claims in Maharashtra and 357 had gone up to the district-level committees. This number has shot up now, and this is because people have made false claims,” he points out. It’s fact, the country has lost its best forests in central India in particular because of this Act, and once people clear forestland and start cultivation, we can’t bring those forests back. As a conservationist, I feel this country should admit that by introducing this law we have made a mistake. Forests need to be protected — that’s the basic issue. Also believe, instead of giving tribal their rights, the government has given forest land to private individuals to build wind farms. In the consumer driven economic structure, people were not interested in tribal getting land rights since that would mean empowering a major chunk of the labour force in a major part of India.

*[Writer is a journalist of international repute and leading
environment activist]*