

SOCIAL JUSTICE

March 15, 2019

Are conservation groups actually safeguarding our forests?

Conservation groups should be helping Adivasis save forests. Instead, many are working to evict them.

by [MADHU RAMNATH](#)

5 min read

The Supreme Court's now stayed [order to evict over 10 lakh families of forest dwellers](#) has resurrected an old debate between forest rights groups and the conservation lobby.

The eviction order came on a petition filed by the conservation group Wildlife First arguing the [Forest Rights Act of 2006](#) was not only detrimental to conservation but even unconstitutional.

They contended that granting Adivasis and other forest dwellers rights to their traditional forestlands was “anti-conservation”. They apparently assumed forest dwellers, most of whom have lived on the lands they seek rights to for generations, were inherently against preserving our forests.

In their petition, the conservationists pointed out that since the claims of over 19 lakh people had been rejected, the law required that they be evicted from their lands. The plea assumed that all rejected claims were fake or mistakenly filed which, of course, is not the case. It also ignored that forest dwellers tread their lands so lightly they often leave no permanent trace, making it difficult to find evidence of habitation.

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Given this, we need to question whether the conservation lobby actually helps safeguard our forests. We must also look at how the Forest Rights Act has been implemented and how it has affected the country's forests and the people living in them.

“On the whole, the Indian

government has been indifferent to enforcing the Forest Rights Act.”

The implementation of the law has been led by NGOs. It has been an uphill task since they have often had to contend with

ignorant and apathetic officials. They have also had to deal with a rush of forest dwellers seeking help to file claims. The government has made no effort to publicise the law, explain what it would entail if followed in letter and spirit, and how the claims should be filed and settled. This is odd since it launched an advertising blitz to publicise even tendu pata bonus or free LPG cylinder scheme. Is the Forest Rights Act less important for forest dwellers? On the whole, the Indian government has been indifferent to enforcing the law.

So, NGOs have shouldered the task of helping forest dwellers gain their rights under the law. In the process, they have realised the great value of Community Forest Resource rights and community-based conservation and forest management plans.

Indifferent to implementation

In 2016, the [Human Rights Law Network](#) collected 38 testimonies from across India about the [implementation of the Forest Rights Act](#). They all spoke about how the state used intimidation and violence to deny the Adivasis their rights. Their community lands were forcibly taken over, fenced off or handed over to plantation developers. Their claims were often rejected without any reason.. There is no denying that false claims have been filed under the law. That does not make every rejected claim invalid, however.

I was a member of the team which heard the testimonies. In Bastar, Chhattisgarh, we held a gram sabha, made a community forest map which indicated a way of managing forest resources, filled in the claims form and submitted it, but to the wrong official as it turned out. A few months later, we gave the claims form to the right official, only to find he did not understand what we were talking about.



Picture courtesy: Arjun Swaminathan

After a year we had still not heard back. So we filed an RTI application, then another when there was no response for a few months. Finally, we requested the governor to take action. The governor instructed the local panchayat to move ahead with the claims but our secretary – an outsider – had stolen the gram sabha register and fudged the records of the areas we claimed. We informed the authorities and the media but the status of our claims remains a mystery.

In 2017, tired of waiting for their claims to be settled, the community marked the claimed area and started guarding it against outsiders who came for timber and firewood or to poison the local river with chemicals to catch fish. These are forests where the security forces and the Maoists have been fighting for decades, making it even harder for the villagers to guard.

I recounted this experience to show how apathetic the Indian state has been to implementing the Forest Rights Act and how proactive Adivasi communities are about protecting our forests.

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The previous Congress-led government claimed to have brought the law to correct “historical injustices” meted out to forest dwellers, but did not spend any energy to make forest dwellers aware about it. Had it done so, forest dwellers may have been less vulnerable to forced evictions, more often than not driven by the plunder of natural resources by corporates.

Not much has changed under the BJP government. There have instead been cases of Community Forest Resource rights being withdrawn from forest dwellers. The Adivasi community of Ghatbharra village in Hasdeo Arand, Chhattisgarh, was stripped of their rights in order to open up a proposed 1,70,000-hectare coal block to Adani Private Ltd, one of the region’s dominant mining companies.

This area, a contiguous forest stretching over 600 sq km with a few scattered habitations, was once proposed to be an elephant reserve. But fudged Environmental Impact Assessments showed it as a degraded scrub and, hence, available for mining. No conservation group protested against the travesty or even spoke up about protecting the elephants and their habitat.

Where are conservationists?

In this helpless situation, many Adivasi communities in the area have succumbed to various pressures – intimidation, bribes, legal sleight of hand such as turning gram panchayats into nagar panchayats to render the Panchayat Extension to Scheduled Areas Act inapplicable – to give up their lands. But some are still holding out. One wonders where these conservation groups disappear when such struggles happen. In this area, not one of them has shown up in about a decade.

Similar, the [linking of Ken and Betwa rivers](#) is expected to wreck around 6,000 hectares of the Panna National Park, yet no conservation focused organization is protesting against it.

“Conservation groups have also been largely absent from movements resisting the corporate capture of rich forest tracts.”

Conservation groups have also been largely absent from movements resisting the corporate capture of Odisha’s Niyamgiri, Maharashtra’s Gadchiroli and Andhra

Pradesh’s Papikonda, all rich forest tracts that are home to both people and wildlife. These groups could have joined the protests and devised ways to conserve threatened wildlife using the vast knowledge of the local communities. They chose not to.

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In contrast, NGOs and civil society groups across the country have used the Forest Rights Act to prevent, or at least to stall, the corporate loot of our forest resources, often at the risk of being labelled “anti-national”, or worse.

India’s is a complex terrain with different climatic zones and forest types. Our Adivasis inhabit varied landscapes, have varied lifestyles, languages and relationships to their surroundings, and relate differently to the state and its laws. Understandably then, implementing the Forest Rights Act in such a culturescape is hard. We also know our forests are under pressure, including from a growing population and skewed state policies. It’s imperative to have protected areas in order to conserve endangered animals and plants as well.

This, however, cannot be a licence to take over the traditional lands of forest dwellers at will. Today, apart from the diversion of vast tracts of pristine forests for mining, Adivasi lands are being taken over for palm oil plantations, which the government plans to cover 10,00,000 hectares by 2030, and compensatory afforestation. There have been several cases in Jharkhand and Odisha of community lands being forcibly taken over for plantations.

As if this was not troubling enough, the government has come out with the [Draft Forest Policy](#), which proposes to give our degraded forests to private companies and allow them to “own” certain areas.

Isn’t this a matter of utmost concern for conservation groups? Wildlife First notes that “fragmentation has been scientifically established as the most serious threat to long-term conservation of forests and biodiversity”. Is what the draft policy envisages not fragmentation, that too across the country? Is this the way to repair a fragmented landscape?

As we stare at further depletion of forest habitats and displacement of forest dwellers, it is time for forest rights groups and the conservation lobby to work together. It would necessitate blurring the line between supposedly contrary objectives.

The more they disagree with each other, the better it is for the corporate sector, which will move in, through crony deals or otherwise, and wreak havoc upon both forests and forest dwellers.

This article was originally published on [Scroll.in](#). You can read it [here](#).



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