

Eminent persons oppose MoEF Committee on Forest Rights Act

To:
Dr. Manmohan Singh
Prime Minister of India
New Delhi

Dear Sir,

We write to express our serious concern at the recent constitution of a Committee by the Ministry of Environment and Forests to “study the implementation of the Forest Rights Act” and to “assess its impact on sustainable forest management.” The Forest Rights Act emerged from decades of struggle against the the brutal grabbing of adivasis' and forest dwellers' resources under the colonial forest laws, which is one of the biggest mechanisms by which these communities were reduced to the state of impoverishment and inhuman oppression that they live in today. The Act marks the first step towards a more just and democratic system of forest management and resource control in forest areas. It is well known that this law was strongly opposed by the Environment Ministry and the State Forest Departments, who wish to retain their illegitimate control over the lands and forests that actually belong to people. Since the law was passed, it has been grossly violated in order to keep control over these resources in the hands of forest officials and/or private companies. This has been brought out by mass agitations, public protests, litigations and press discussions, and the government's abysmal track record on this law was even admitted by the Prime Minister in November 2009. Indeed, the most crucial aspect of the law – covering community control over forest management – has not been implemented at all.

Yet the Central government has taken no action to remedy these violations. Instead, the only Committee that will examine this law's implementation has been set up by the Ministry most bitterly opposed to it - with very broad terms of reference on “assessing the impact of forest rights on sustainable forest management and “prescribing roles in forest management for beneficiaries”, a throwback to the days when law saw forest dwellers as colonised subjects and not citizens. The Committee further consists entirely of forest officials and two outside conservationists. The Ministry and the Forest Service have neither the legal mandate nor the legitimacy to formulate policy on issues covered by the law, especially when they continue to break the same law with impunity.

At a time when public discourse is filled with discussion on the oppression suffered by adivasis and forest dwellers, and when the government has launched a brutal paramilitary offensive in the name of the “rule of law” in these very areas, it is striking that such a Committee should be constituted. If the government is indeed serious about following the law, it should be enforcing respect for people's resource rights. The constitution of this kind of illegitimate and biased Committee, under this Ministry, indicates that the government's intentions are in fact the opposite. We demand that this illegal Committee should be dissolved and replaced by steps to require compliance with the laws of the land.

Sincerely,

Shri K.B. Saxena, former Secretary, Ministries of Health, Rural Development and Social Welfare, and former Addl. Chief Secretary, Bihar

Dr. B.D. Sharma, former Commissioner for Scheduled Castes and Scheduled Tribes

Dr. Manoranjan Mohanty, Fellow Emeritus, Developing Countries Research Centre, University of Delhi

Dr. NJ Kurien, former Principal Adviser, Planning Commission and Adviser, Finance Ministry

Dr. Amit Bhaduri, eminent economist and Fellow, Council for Social Development

Adv. K.G. Kannabiran, National President, People's Union for Civil Liberties

Source: Campaign for Survival and Dignity