

Petitions pile up against Forest Act, Centre in a bind

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NEW DELHI: The UPA government, already floundering for a strategy to counter a concerted legal attack against its flagship Forest Rights Act, has been asked by its Left allies to pull up its socks.

With four petitions filed against the Act in various high courts, besides one in Supreme Court, CPM politburo member Brinda Karat has written to the PM and the Cabinet Secretary asking that the government put up a strategic fight against the cases.

The Left has suggested that the cases be given the best of legal and bureaucratic support at the state level and not be pulled into the SC. The Left missive comes days after the Tribal Affairs Ministry had written to the Cabinet Secretary that the Centre, at an appropriate time, should ask the apex court to consolidate all cases before its three-member forest bench in order to expedite the matter.

Sources said the ministry has been running shy of countering the petitions at the state level because of lack of capacity and administrative ease.

While the Tribal Affairs Ministry has given its opinion, the government is yet to take a final call and the Congress is in a bind. A section of the government and party believes it could face a “hostile” atmosphere in the apex court with the amicus curiae in the case, Harish Salve, having already laid his cards bare in opposing the Act. Besides Salve, some members of the SC’s Centrally Empowered Committee on forestry issues too have made their reservations about the Act explicit on various forums, which would make fighting the case in the apex court an uphill battle.

TOI had earlier reported that at least three of the four cases in the HCs were part of a concerted effort by a lobby as they read like facsimiles of each other. The case in SC has been filed by wildlife groups Bombay Natural History Society, the Wildlife Trust of India and Orissa Wildlife Society. Sources said Congress leaders, who have to face polls in the coming months in several states with substantial tribal presence, have expressed concern about the outcome of these cases to senior Congressmen.

The Left too has asked the government to appoint a nodal senior officer to handle the cases. With the Congress high command having favoured the wildlife lobby over the Act by delaying its implementation last year, some Congress leaders in the states have also expressed fears that the government must be given a clear signal from the top to put up a strategic and strong defence.

Most states have begun work at the village level to ascertain the rights of forest dwellers and observers believe it could take up to the third quarter of this year before *pattas* are distributed to rightful applicants.

Source : Times of India

http://timesofindia.indiatimes.com/Petitions_pile_up_against_Forest_Act/articleshow/2893364.cms