

Forest act row hits 90000

SANTOSH K. KIRO

Ranchi, May 8: Others like Orissa and Madhya Pradesh already have. And if Jharkhand had implemented the forest act by now — as it was supposed to — at least 90,000 people of the state would have been benefited.

Instead, it has written to the Centre seeking clarifications on certain provisions of the act when a careful reading of the Congress-led UPA government's showpiece legislation would have answered all its doubts.

The Congress-backed Madhu Koda government has been arguing that the absence of panchayats in the state — elections are yet to be held — prevented it from implementing the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act.

But the Centre has maintained the act included a provision that allowed states to implement it in the absence of panchayats. "Jharkhand need not wait for panchayat elections for implementing the act," Union minister of state for tribal affairs Rameshwar Oraon told **The Telegraph** over telephone from Delhi.

Referring to provision (g) of chapter I of the forest act, the minister said in case of states without panchayats, padas, tolas and other traditional village-level institutions and elected committees could assume the role of gram sabhas.

As the act pertains to tribals, the state welfare department, in association with the department of forest and environment, had been assigned responsibility of implementing it. But so far, all they have done is shoot off a query that's lying with the Union ministry of tribal affairs since February 29. "We certainly want to implement the act without any delay. But Jharkhand is in a peculiar situation as it is yet to hold panchayat elections," said state welfare secretary U.K. Sangma.

Officials in the Union tribal affairs ministry said Madhya Pradesh, Orissa and Himachal Pradesh have already implemented the act. Chhattisgarh's deadline is May 31. Bengal, too, has promised to implement the act after the panchayat elections scheduled next week. States were supposed to begin implementation from January 1, 2008, after its gazette notification on December 31, 2007.

Local tribals, who stand to gain significantly (**see chart**) once the act is implemented, have been pressing the state on the issue. "We have been asking the government to invoke provision (g) of the act and implement it," said Sanjay Basumullick, an activist known for his informed opinions on forests. The state government, meanwhile, must formulate its own opinions as the Union tribal affairs ministry has convened a meeting of all states on May 16 to discuss the implantation of the act.



http://www.telegraphindia.com/1080509/jsp/frontpage/story_9246305.jsp