

# 'Tribals can't be evicted to grow jatropha'

Q&A: Kanti Lal Bhuria, Tribal Affairs Minister

Sreelatha Menon / New Delhi November 08, 2009, 0:10 IST



The forest department and tribals have never been on good terms, Tribal Affairs Minister **Kanti Lal Bhuria** tells *Sreelatha Menon*

**Under the Forest Rights Act, 13 tribal rights have been listed, but the government is talking only about protecting one right, that is, land. What about the other rights?**

First, we want to ensure that tribals get this basic right so that they are no longer under the threat of eviction. It can be followed by more measures for their uplift. Once land ownership titles are distributed, we will visit villages at random and check how many tribals have got the titles. We don't want forest rights on paper. As for the other rights, once ownership is granted, we will add other things.

**The law does not give a deadline for implementing the Act. So, why are you pushing for completing distribution of pattas by December 31? Isn't this illegal?**

President Pratibha Patil had committed to give tribals the right over their lands and she wanted it to be done by December 31. So, we are urging states to distribute all land titles by then. It is another matter that many states have not even started the process. There are Naxal-affected states which have their own problems while states like Nagaland in the North-East have already provided land ownership to tribals, who form a majority of their population.

**The law provides local forest dwellers the right to manage the forest produce. So, would you consider the joint forest management committees formed by the forest departments as illegal?**

If the joint forest management committees are against the law, we will go into the matter. We will ask officials in the ministry to go into this matter and assess whether there is anything illegal about them.

**Will you ask for disbanding of the committees? You yourself have said that the forest department has been the worst exploiter of tribals.**

We have to study the matter. It is true that the relationship between tribals and the forest department has been that of the exploiter and the exploited. I said this before the prime minister and the environment minister at a recent conference of chief ministers on the Forest Rights Act.

When I was tribal affairs minister in Madhya Pradesh for five years in the 90s, I saw how forest department workers harassed tribals. Once, in Dindori district, nine people of the Baiga tribe collected some honey in the forest. They have been doing this for ages. But forest department workers misused the Forest Conservation Act to arrest them and they remained in jail for months. In many states, there are lakhs of cases under this Act against innocent tribals. They are tired of all this and that is the reason they are getting drawn to Naxalism.

**The law gives tribals the right to grow what they want and to manage the produce. So, will you oppose the jatropha and rubber plantations that are being thrust on forests and tribals by the environment ministry through its forestry project? Don't these go against the law?**

We will oppose plantations and other projects if tribals have been removed to implement these.

**But don't tribals have a say in what should be done on forest lands?**

We can act if their land is snatched from them. We spoke to Jairam Ramesh (environment minister) and he understands the matter. He agrees that everything should be in the interest of tribals. If something goes contrary to their interests, he is willing to remove it.

**But this is contrary to law. Isn't he bound to stop these projects?**

We will check if the projects are being done with the consent of tribals and forest dwellers. If something is against their wishes, it won't be allowed. Even the environment minister agrees with this.

**Don't you think that such actions alienate tribals? How are you planning to win back their trust while the government tackles Naxalites?**

The prime minister has also admitted that tribals are not benefitting from welfare schemes and that the shortcomings in the system of transferring benefits should be plugged. As he said, only sensitive officers will be posted in tribal areas while anti-tribal officers will be kept out. Officers who are insensitive to tribals don't listen to them and this pushes tribals to Naxalites, who offer them sympathy.

**How will you know who is anti-tribal?**

This can be easily done. These are officers who make tribals run around a 100 times for a simple matter.

**What about the continuing arrests of tribals for encroachment even before land titles have been distributed, even in your state of Madhya Pradesh?**

Land ownership is only for claims before 2005. All cases after that will be dealt with sternly.

**Tribals may have been given the right to manage and sell the forest produce but it is still in the hands of middlemen and state government bodies. Tribals are not benefitting, whether it is tendu leaf and bamboo in Madhya Pradesh and Orissa or some other product elsewhere.**

We will create a system to help tribals manage their own forest produce. We have asked for inclusion of timber in the list of secondary forest produce. This will make tribals earn royalty from the sale of timber. The money earned from the sale of timber should be used for welfare of tribals.

**Bamboo and tendu leaf are still with state governments. States are blatantly violating the law and issuing orders appropriating the right to sell these.**

We will address these issues gradually. First, let us get their land claims recognised. The rest will follow.

**What about displacement of tribals for industrial projects?**

The prime minister recently responded to my appeal at a conference on the Forest Rights Act and asked for a share for tribals in all projects. With such a sensitive prime minister, we cannot go wrong. What we can do is to provide them not only jobs in mining projects but also give them a share in royalty from these projects for a lifetime. I feel the Haryana rehabilitation policy for the displaced is a good model. It provides income for the displaced for 33 years, besides the cost of the land.

**What do you plan to do next?**

I have asked the prime minister for an amendment to the Constitution to create an all-powerful tribal advisory council at the Centre that will monitor all development activities in tribal areas and advise states and ministries on development.

<http://www.business-standard.com/india/news/%5Ctribals-can%5Ct-be-evicted-to-grow-jatropha%5C/375704/>