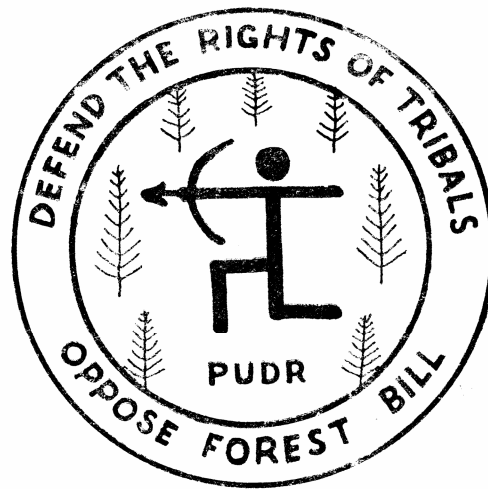


# UNDECLARED CIVIL WAR



A CRITIQUE OF FOREST POLICY



PEOPLES UNION FOR DEMOCRATIC RIGHTS  
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The Government of India is circulating a bill, called the "Indian Forest Act 198...", to be enacted soon. The Government states that its objective is to protect the fast depleting forests of the country. But the bill has far reaching implications for our economy, environment, democratic polity and for the people who inhabit the forests. The introduction of such a bill is to be seen in the context of the forest policy of successive governments, shaped over the last century or so. The Peoples Union for Democratic Rights, as a part of its campaign against the bill, is presenting the following critique of the forest policy and appeals to the democratic sections to demand the complete withdrawal of the bill.

FORESTS, for those who are outside it, have always been a source of raw materials and romantic visions. The only people who have a more realistic understanding of them are the millions of people who inhabit them, and, in general, they have no communication channels with the rest of the society. As a result, the majority of the population in the country, living far away from forests, are ignorant about them. Government is the mediator between them and the forests. Any attempt to understand the 'forest problem' must therefore, begin with an examination of the 'mediator's motives'.

In India about 74.8 million hectares of land is classified as forests, which is about 23 percent of our total geographical area. The outer Himalayas, the Western Ghats, the Deccan plateau including Vindhyas and the North-eastern region are the main forested regions in the country.

Forests are critically important to the society in three ways. Firstly, they are an important source of materials used in industry and households all over the country. Secondly, they are required to protect the soil, the climate and the environment, to maintain the productivity of land and to make the atmosphere conducive to life. Thirdly, they are the only source of life and livelihood to the population that inhabit them. Forests produce raw materials, such as wood, for industry, defence, communications and also materials required for domestic purposes. They produce fuelwood which is India's most important source of energy for cooking. They also provide material for agriculturists such as wood for agricultural implements and fodder for grazing their animals. The type of a forest determines its produce. And the type of a forest is shaped by the nature of the soil, the climatic factors and the influence of the activities of men and animals in the area. In India the forests in the northern region, Uttar Pradesh, Himachal Pradesh, etc. are rich in coniferous forests consisting of *chir-pine*, *deodar*, *fir*, etc. These woods are used as pulp wood in paper industry, for packing cases, poles, planks, etc. *Chir-pines* are also tapped for resins from which turpentine and rosin are distilled for use in the varnish industry. The forests of Central, North-eastern and South India are mostly broad-leaved forests. Central India, *i.e.*, Madhya Pradesh, Maharashtra and Andhra Pradesh, is famous for *sagwan*, or teak wood, used extensively in construction and furniture making. Now attempts are being made to raise pine plantations in Central India and teak plantations in other areas also. *Sal* is another tree which finds multiple uses. It is spread over Bihar, Uttar Pradesh, Orissa, West Bengal and parts of eastern Madhya Pradesh. Exotic timbers like rose-wood and sandal-wood are found in select pockets in Kerala, Karnatka and Tamil-nadu. Bamboo of one variety or another is found in almost all forest areas except the Himalayan slopes. *Tendu* leaves for *bidis* come from forests in Orissa, Madhya Pradesh and Andhra Pradesh. *Semul* wood for matches is found around Palghat, on the West coast, Assam and Orissa. *Khair*, a hard wood from which *katha* and *cutch* are made, is found in forests in Uttar Pradesh, Madhya Pradesh and Rajasthan.

There are a number of intricate mutual interactions between the forests and the environment. Forests assist in the essential global recycling of water, oxygen, carbon and nitrogen. They also influence solar radiation reaching the earth's surface, wind, humidity and temperature and thus moderate the climate, especially the rainfall. They maintain the top soil mantle which determines the capacity of the land to support agricultural production and also human beings. If there is sufficient vegetative cover of the forests, the force of rain falling on the floor is reduced. Rain reaching the forest floor seeps through it and goes into the subsoil. It then flows through the soil to lower regions by percolation and thus feeds the streams gradually all through out the rainless period. After the soil gets saturated and no more water can be retained by it, the excess water flows away, but with much less force. Thus, due to forests, soil erosion is reduced. Stability of soil, maintained by the forests, holds the soil and the rocks together and thus prevents landslides which may cause large scale destruction otherwise. Under the Indian climate, which has a long dry season, the climatic benefits of forests and their role in protecting the soil and conserving water are important. If these forests are destroyed, it would lead to soil erosion, floods, drought, landslides, and low rainfall, causing untold human misery.

Forests are also the only source of life and livelihood to the millions of people who inhabit them all over India. Forests give them food, shelter, recreation and employment. For centuries they enjoyed the freedom to use the forests and hunt its animals. Many myths and legends that survive through their folklore have emphasized this relationship. It is this sense of identity which underlies their conviction that forests belong to them. But since mid-nineteenth century they have progressively lost their freedom and rights over

forests. An overwhelming majority of the people who inhabit the forests are tribals. But in many areas, non-tribals also inhabit them in substantial numbers, as for instance, in the Garhwal region in Uttar Pradesh. But they also have a similiar relationship with the forests. In terms of land alienation, moneylending, contractor system, loss of traditional rights, etc., they face similar problems. (In this booklet, though for the sake of convenience, we refer more often to tribals, however, the observations equally apply to such non-tribals in the forest regions.)

The three functions of forests as suppliers of materials, as protectors of environment and as a source of life and livelihood to the inhabitant people appear to be in contradiction with each other. The forests and their produce can be exploited only at the cost of uprooting forest dwellers. And the continuous exploitation of forests leads to deforestation which will eventually affect our environment. This three-dimensional contradiction appears to be inevitable in any development process. But it is not necessarily so. It is the *kind* of development process which the Government chooses that determines the intensity of exploitation and destruction of forests and the deterioration of the life of forest people. Both British and Independent India's successive governments appear to be aware of the contradictions. But in practice, there is a continuity and single-minded purposiveness in acquiring control over forests, their intense commercial exploitation and the gradual suppression of traditional democratic rights and aspirations of tribal communities. It is this process which should be held responsible for the deforestation. On the contrary, the authorities have built an argument, nurtured over decades, that the tribals are responsible for this process. Meeting after meeting of the Central Board of Forestry and report after report of various committees and commissions have argued that the tribals are the main cause of destruction of forests. Unfortunately even the mass media has helped this systematic campaign against tribals. No major political party has cared to examine the validity of this argument. Today a large section of urban population also shares this view.

The democratic sections must, therefore, examine the reasons for deforestation and the rationale behind this campaign. They cannot afford to ignore any of the dimensions of the problem. And any such understanding must begin with looking at the historical evolution of the state forest policy.

## II Forests and the State

Since centuries tribal communities were the sole beneficiaries of the forests. Their needs, beliefs, cultural and religious practices and their customary rights governed the forests. Their symbolic relationship with the forests is at once scientific and superstitious. This harmony was disturbed in the mid-nineteenth century when the British began to acquire administrative control over the forests for their commercial needs. But the preceding tribal revolts in Chota Nagpur in early nineteenth century and the Santhal rebellion in 1850's induced cautious restraints in their policy. Thus, the British forest policy evolved as a long process of step by step acquisition of control over the forests.

It begins with the promulgation of the Government Forest Act in 1865. With this Act the British Government acquired the right to declare any forest as Government forest. But the power was subject to the constraint that such notification should not abridge or affect any existing rights of the communities.

As their needs started mounting, the British repealed the earlier Act and introduced a new Indian Forest Act in 1878. This Act, for the first time, classified forests into Reserved Forests, Protected Forests and Village Forests defining degrees of control over them. With this Act, for the first time the Government acquired rights to take over forests from tribals and declare them as reserve forests, subject to certain conditions. It also, for the first time, laid down rules to impose levy on timber, then almost the only source of profit. Further certain practices were listed as offences and forest officials acquired magisterial powers to arrest a person without a warrant, if a "reasonable suspicion exists". The Government acquired further powers by amendments made in this Act in 1890 and 1891. Meanwhile the Madras Presidency promulgated its own Act, the Madras Forest Act, in 1882, similar to the Central Act.

Apart from Acts and Amendments, the British Government also came out with a comprehensive forest policy in 1894, the essential features of which have governed the policies of successive governments even till today. The policy explicitly laid down that in the interest of "public benefit", the Government should undertake the "regulation of rights and restriction of privileges". This is the first time that the state policy formulated the contradiction over forest use between the tribals and the rest of the society and favoured the latter. It should be noted, however, that the "public benefit"—a term which echoes in all the forest policy resolutions—is a euphemism for the commercial interests. For the implementation of the policy, forests were classified into four categories : (1) forests, the preservation of which was essential for climatic or physical reasons, generally those situated on hill tops ; (2) forests which afforded a supply of valuable timber for commercial purposes ; (3) minor forests which produced inferior varieties of timber or smaller growths of the better varieties ; and (4) pasture lands. This functional classification has no bearing on the classification adopted in the Acts which is based on the degree of control exercised on the forest. After four more amendments to the earlier Acts, eventually the British Government announced a new comprehensive legislation in 1927.

The Indian Forest Act, 1927, incorporated some of the guidelines of the 1894 policy. But the essential classification of reserved, protected and village forests remained as it was. In terms of degree of Government control, reserved forests are virtually Government forests where the Government can settle, transfer or commute the rights of communities. In protected forests the rights were recorded and regulated, which the Government could not commute. In the village forests all rights were allowed completely and no control was exercised. This Act (which is now being sought to be replaced by the bill in circulation) introduced five major changes. The Government acquired more powers in classified reserved forests in which a time limit was set to settle the claims of the natives. It acquired the right to charge a levy not only on timber but also on other forest produce, not only in Government forests but also

in other forests. The number of listed offences was increased and they were made non-cognizable with a punishment upto six-months jail term or fine upto Rs. 500/- or both. The practice of shifting cultivation was brought under the purview of the State Government subject to its control, restriction and abolition. But the most notable change was the deletion of reference to rights of communities. Now they were referred to as "rights and privileges of persons".

In 1935, the Government of India Act brought the subject of forests under the jurisdiction of provincial legislatures. But it should be remembered that the Acts and regulations of the Governments did not cover all the forests. The private forests owned by zamindars and the forests on princely states were exempted from them.

In 1952, the new Government of independent India formulated its forest policy. In the meantime, the importance of forests was brought home strikingly to the rulers with the Second World War's increase of defence requirements. The gross revenue of the forests increased by seven times during the war period. All forests of the country, including those under zamindars and princely states were brought under the purview of the Government. The new policy emphasized that the "fundamental concepts underlying the existing forest policy (1894) still hold good". But it was something more than that. The policy was formulated on the basis of "six permanent needs" : (1) the need for evolution of a system of balanced and complementary land-use ; (2) the need for checking floods and soil erosion ; (3) the need for afforestation ; (4) the needs of agriculturists such as grazing, wood for implements and firewood ; (5) the need for sustained supply of timber and other forest produce required for defence, communication and industry ; and (6) the need for maximum annual revenue. Even while laying stress on "the need for promotion of welfare of the neighbouring population", it underscored the importance of "combating the neighbouring areas prior claim over a forest and its produce". It made new functional classification of four categories : protected forests to be preserved or created for physical and climatic conditions ; national forests to meet the needs of defence, communication and industry ; village forests to be maintained to provide the needs of agriculturists ; and tree lands which are required for the amelioration of the physical conditions.

The new policy, inspite of claims to the contrary, made significant departures from the old policy. The release of reserved forests for the villagers living in it was prohibited, controls were applied even to the private forests of the tribals, and grazing land was brought under the control of the Government.

The essential feature of the policy was the explicit recognition of the contradictions between the developmental and commercial needs, the long-term environmental needs, and the welfare of the forest dwellers. The policy laid down that forest areas of the Country should increase from the then existing 24 percent to 33 percent and in the Himalayas and the Deccan hills it should be 60 percent to prevent floods.

The rights of the communities which became "rights and privileges of persons" in 1927 became "rights and concessions" in 1952.

As a result of the new policy certain modifications were made in the 1927 Act. Various governments amended their Acts. New states and union territories passed fresh forest Acts. Significantly, the gap between forest policy and forest Acts widened with this policy. While the forest policy talks of lofty goals like environment preservation, developmental needs and tribal welfare, the Acts are primarily concerned with the regulation of the rights of the tribals.

The policy has had a disastrous impact on the forests and the tribals in the three decades that have followed. It has resulted in enormous administrative changes in the forests. A whole range of forest officials from beat guards, forest rangers to officials of forest service have descended on the local population. Their number has gone up from 10,000 to 93,000. Their arbitrary decisions determine the classification of forests. In parts of Rajasthan and Maharashtra land on which there are hardly any trees have been declared as forest lands and in parts of Bihar, Madhya Pradesh and Orissa, ordinary cultivated lands have been declared as forests. Any attempt to estimate the forest area has

become meaningless. Thus in 1971, while the Central Forestry Commission maintained that the forest area is 74.74 million hectares, the agricultural census gives it as 66 million hectares. The system of licences and permits has given enormous power to forest officials and has led to colossal corruption. Over time, two of the six needs mentioned in the policy resolution, the industrial needs and the need to maximise revenue, have attained immense importance. Contractors, who were allowed to enter for these purposes have slowly entrenched themselves. Now they even control the trade in the minor forest produce and have become landowners in the adjoining areas. Development of the interior areas, in practice, only became laying down of roads which have now become the royal roads to destruction. In the end, it is the people in the forest areas who have borne the brunt of this process that took place in the name of national interest. Gradual erosion of their traditional rights, perennial hardships due to corrupt officials, inhuman treatment by lawless contractors, loss of their livelihood and massive uprootment have become their way of life. Simultaneous with the destruction of decent life of the tribals, the forests too have been destroyed.

Unable to face the problems created by its own policy, the Government has responded with moves to further centralise the forest management. The 42nd Amendment, brought in by a captive parliament during the emergency, shifted forests from the state lists to the concurrent list. The Forest Conservation Act, 1980, further controlled the powers of the State Governments.

On the other hand, the Government has built up an argument that it is the tribals who are responsible for the destruction of forests. But the most important role in deforestation is played by the progressive commercialisation of forests, operating through the state forest policy and legislations and the corrupt forest departments.



### III Forests and Commercialization

In 1853, India's first railway line was laid between Bombay and Thana. In 1880, India's first coal mines went into production at Ranigunj in Bihar. The railways required timber for sleepers and the coal mines required timber for its underground structures. It is this background that provided the immediate rationale for the British forest policy in mid-nineteenth century. Since then the industrial and non-industrial requirements of forest produce have been steadily on the increase. And so too the penetration of government and private business interests into the forests. The Second World War radically affected the forestry practices all over the country. Enormous quantities of timber were extracted causing extensive fellings. It was in this period that the plywood industry came into being in the country. By the end of the war this inexorable process of commercialization became a pervasive phenomenon all over the forests.

At present there are a number of products, used in a number of industries, which have a commercial potentiality. It is impossible to give a complete account of this growing commercialization. The production figures for wood, some minor forest produce, forest based industries, and the increasing revenue from forests of the Government gives some idea of this process which today is the most dominating factor in the forests of the country.

State Governments earn revenue from forests by imposing levy on the sale of some forest produce, by auctioning the right to collect some produce to private parties, by leasing out vast acres of forest land to industrial houses, and by its own collection and sale of forest produce. The gross revenue of the forests, which increased by over seven times during the war period, was about Rs. 24 crores in 1951. By now it has increased twenty times to about Rs. 473 crores. Though a part of this is spent back on the forests, they yield a net surplus for the Government. This surplus was Rs. 155 crores in 1980-81, an increase of over 11 times since 1950-51.

Wood is the major forest produce. It is used as timber and cellulosic material. About 2000 species of wood cover about 80 percent of India's forests. For construction purposes alone, eighteen varieties of wood are in use. About eleven varieties are used in furniture and cabinet making. It is difficult to give a precise account of the amount of wood being removed from the forests every year. In the late sixties, the National Commission of Agriculture estimated that per hectare 0'31 cubic metres of wood was being removed every year. The production of both industrial wood and fuel wood, on the whole, has increased enormously in the last three decades (see the appendix). Annual requirement of industrial wood was estimated at a minimum of 25 million cubic metres in 1980 as against the estimated recorded production of 13'5 million cubic metres during 1979-80. The widening gap between demand and supply of wood has made it a valuable commodity leading to large scale and unrecorded or illegal removal of it. In Maharashtra, for instance, a truck of timber is sold at Rs. 30,000 in the market. The smuggler pays Rs. 500 to labourers, Rs. 5,000 for transport and Rs. 5-7,000 by way of bribes to forest officials, policemen and local politicians. Thus he pockets a profit of Rs. 15,000-19,000 per truck !

Almost all the major forest-based industries are wood-based industries. In Assam alone there are 380 forest-based industries including 40 plywood factories and 10 paper mills. Paper and paper board industry's production has increased three times since independence. Newsprint production, which was nil in 1948, is now estimated at about 34,000 tonnes annually. The number of plywood factories went up from 4 to 95 during this period. The production of particle boards and fibre boards have similarly increased. The annual production of match boxes increased by over a million boxes, of which two major companies WIMCO and AMCO produce 50% of the output.

A substantial amount of wood removed is also used as fuel wood. 90% of India's households remain dependent on firewood, cowdung and agricultural waste for cooking. Even in urban areas majority of the households use firewood for cooking. Sometimes the same wood is used first as local timber and secondarily as fuelwood.

Harvesting of wood (called logging) is one of the principle operations in forestry. The tools used are

by and large traditional tools. Logging is the biggest employment generator in the forest areas. Here the middlemen usually encourage migrant labour since this facilitates their exploitation more. For instance, Nepali labour is employed in Garhwal region while Garhwali labour is employed in Himachal Pradesh. In addition Governments often organize labour camps in so called Forest villages. In recent times a deliberate policy of mechanization is slowly being implemented with West Bengal in the lead.

All forest produce other than timber are referred to as minor forest produce. They include fibres and flosses used in rope making, etc., essential oils and oil seeds, *harra* and *behera* used in tans and dyes, spices used in drugs, poisons and insecticides, resin used in turpentine, varnishes and paints, etc., lac and gums, *katha* used in *paan* and *tendu* leaves used in *bidi* manufacturing. They are very essential in the economic life of the local population. They not only serve the local consumption needs but are also an important source of supplementary earnings. The collection of such forest produce is usually seasonal in nature. For instance, *tendu* leaves are collected during April-May in Andhra and Madhya Pradesh, while *sal* seeds are collected in pre-monsoon season in Bihar. Since independence the collection and trade of minor forest produce has also become commercialized. The people who collect them get a pittance for wages. Usually they are collected in the unprocessed form from the people and are processed outside the forest areas, A large part of the profits from this trade goes to middlemen and intermediate agencies including Government departments and cooperatives. In Madhya Pradesh, for instance, contractors pay Rs. 50 a quintal to the tribals for the collection of *sal* seeds and pay a royalty of Rs. 30 per quintal to the Government but sell it for Rs. 250 per quintal. About 30% of the revenue of the forest department comes from minor forest produce.

This increasing commercialization of all kinds of forest produce got intensified over time in disregard of the environmental needs and the economic and social life of the local people. Multiple bodies carried on their business with callousness towards the people and indifference towards the forest. There are five types of bodies which are involved in these operations : forest departments, other government departments, private companies, private contractors, and the tribals' own unorganised efforts.

Forest departments either engage their own personnel, or cooperatives, or forest development corporations for the extraction of forest produce. In most cases they engage agents or contractors as middlemen.

The State Governments also lease out large tracts of forests to big business houses. For instance, bamboo forests are leased out to Birlas in Andhra, Madhya Pradesh and Orissa. Reserved forest areas are leased out to Gwalior Rayons in Kerala. In turn these companies employ contractors. Sometimes the departments auction an area for the collection of a particular produce to private contractors annually as, for instance, *tendu* leaves in some states.

Other departments and corporations of the Government have their own operations in the forest area. For instance, the Minerals and Metal Trading Corporation (MMTC) exploits iron ore mines in Bailadilla area in Madhya Pradesh. Here, though the production is done by the Government, contractors are employed to engage casual labour. In places like Hazaribagh in Bihar, contractors are engaged in illegal mining operations.

Most of the unorganized efforts by the local population have by now become commercialized. They collect the produce and then sell it to middlemen at a very low rate which then are sold at exorbitant prices in the market.

Thus either way you go in the forests, you will find the ubiquitous contractors. In the words of the Dhebbhar Commission : "Contractors have become a source of uncontrolled exploitation for the tribals. The contractor has become a law unto himself. He has a pull with the officers in the department. The tribal, who seldom knows the rules, is at his mercy. The contractor may give work to the villagers or he may refuse to give it. He may purchase his commodities or refuse to purchase them. He interprets the rules in his own way. The contract system has operated as an undisguised monopoly.-." Apart from the encouragement of the policy makers, the Government also helps them through its administrative apparatus. In no other department of the Government is corruption as rampant as in the forest department. The contractors spend a part of their illicit wealth as bribes to the forest and police officials. In electoral politics

they back pliable politicians with their money and muscle power to ensure security of their interests at the political level. Thus is formed the nexus that exploits the forest and its people.

In recent times, forced by the public pressure, the Government began to take measures to abolish private contractors. In 1976, a decision had been taken to eliminate contractors from the forests "in the interest of better revenue to the state exchequer and fair wages to the worker." But so far only four states have implemented this, and that too partially. In any case, the law does not prevent private companies from engaging contractors. Even the departments, co-operatives, and the forest development corporations engage "agents" for the collection of forest produce. In other words, contractors have not moved out of the forests, only their name has changed. Hitherto unholy alliance between officials and middlemen is now legitimised by this partial nationalisation. Presently, the Government is considering yet another "ten-year programme" to eliminate contractors. In fact, this power to take over trade now has become an additional source of graft for the politicians.

The co-operativization of forest trade, launched with much fanfare, thus became a cruel joke on the public. Andhra Pradesh is hailed as one of the pioneers in the co-operativization movement. Yet one of the most violent tribal revolts of post-independent India —the revolt in the Parvathipuram Agency area of Srikakulam district in the late sixties rose against, among other things, Girijan co-operatives !

In fact, neither the elimination of contractors nor the establishment of co-operatives is likely to solve the problems. Because the contractors are *not* the cause of deforestation and tribal exploitation. They are only the symptoms and the tools of process of commercialization. And it is commercialization, with profit as its only goal, that is the real cause of it. In whatever form it appears, this uncontrolled profit motive, unrelated to any meaningful policy for the protection of environment and welfare of local population should be held responsible for the entire process. This very profit motive results in the destruction of forests and the deprivation in the social and economic life of the tribal people.

#### IV Forests and Tribals

Majority of the tribal population in the country derive their livelihood directly or indirectly from the forests. They are dependent on forests for their agricultural needs. Some of them practise shifting cultivation in the forest areas. They use edible fruits, leaves and roots, honey, wild game and fish by way of food ; build their houses with timber and bamboo ; practise cottage crafts with raw materials collected from the forests ; and make various uses of herbs. Their forest practices are inseparably linked with their religious practices and cultural life. Their entire socio-economic fabric is built around the forests. Their relationship with forests sums up their philosophy of life. In India, of the 40 million tribals, about 50% are dependent on forests.

There are hundreds of tribes in India and they are concentrated in three major regions : tribes like Nagas, Mizos, Lushahis, Akas, Daflas, etc. are concentrated in the north and north-eastern zone, in the mountain valleys and eastern frontiers of the country. Tribes like Santhal, Gonds, Mundas, Bhils occupy the central belt in Madhya Pradesh, Bihar, Andhra Pradesh, Orissa, Rajasthan, etc. Tribes like Warlis, Chenchus, Kadar, Paniyan, etc. are scattered over south-western India in Gujarat, Maharashtra, Kerala, Karnataka, etc. Presently tribal population is about 7.5 percent of the total population of India.

The tribal people living in their remote hills and forests for many centuries led a life of their own, independent from the rest of the society. Christian missionaries in the 18th and 19th centuries were among the first to enter their areas. Later the British followed a policy of separating the tribal areas from the purview of normal administration. In early 1833, immediately after the Chota Nagpur insurrection, the British declared the region as a "non regulated area." Later the tribal areas were called "Agency areas" and still later "Scheduled areas". In some form or the other the concept continues till today.

The constitution of independent India empowers the President of India to notify any community as a "tribe" under Article 342. Today those who are referred to as tribals are these scheduled tribes. There are no specific criteria or guidelines to notify the tribes. Tribes which are scheduled in some state are not scheduled in some other states. Worse, even in the same state, as in Andhra, there are discrepancies. The constitution also provides for special administration and control on the areas specified as scheduled areas in the fifth schedule and for tribal areas in the North-eastern region in the sixth schedule. Here again, there is considerable arbitrariness. Altogether the constitution has as many as fifteen articles relating to tribals.

Faced with the tremendous changes in modern life which they could neither be part of nor understand, tribals in India face problems at all planes—social, political, cultural, religious and economic. Some are due to natural factors like growth in population ; some are due to the penetration of outsiders causing land alienation, indebtedness, etc. ; some are due to modernization, like displacement due to industrialization. A part of these problems is inevitable in the developmental process. But many of them are the result of the state policies and programmes.

The Government has been introducing many schemes for the 'upliftment of scheduled tribes'. In the Second Five-year Plan the Government introduced a scheme of tribal development blocks, which are chosen for concentrated development. Their number has increased from 43 to 500 in the last thirty years. In the Fourth Plan separate tribal developmental agencies have been set up for select areas in Andhra, Bihar, Madhya Pradesh and Orissa. Similarly, Hill Area Development agencies were set up in select areas of Uttar Pradesh and Manipur. In the Fifth Plan a separate tribal sub-plan was prepared under Integrated Tribal Development Project for 178 select areas. Further special schemes have also been made for fifty identified primitive communities and for the tribals in the hinterlands of industrial and mining complexes. Under each plan crores of rupees have been spent for tribal development. No study was ever made to examine the overall impact of these schemes. Here, it is important to note that these tribal development programmes are never related to forest development programmes. In fact, they come under different ministries having no coordination between them and often contradicting each other. Notwithstanding these programmes, the problems

which the tribals face concerning land, moneylending, the contractor system, low wages and large scale unemployment, displacement due to industrialization, etc., have been mounting, and have served as legitimate grounds on which tribal movements have arisen.

An overwhelming majority of the tribal people are agriculturists. They cultivate minor millets and other coarse grains in their land which are usually of inferior quality. The irrigated area in these regions is less than one percent compared to the all India figure of 25 percent. The problems they face are more concerning occupancy rights and alienation of land than due to landlessness. The Government made two types of legislation to tackle tribal land problems, general land reforms and protective laws to prevent the alienation of land.

Land reforms in tribal areas have been as unsuccessful as in other areas. However, the problems of land reforms in these areas need to be distinguished from those elsewhere. In large parts of tribal areas there was at one time communal ownership. Even where individual ownership prevailed, tribals owned the land in their own right. Gradually, indebtedness and poverty forced them to first hypothecate their lands and later to part with them. They became tenants to their moneylenders. Thus the problem in these areas is a mixed problem of landlessness, security of tenure and moneylending. The implementation of the general land reforms did not care to make these distinctions. The fact that the inferior quality of land makes the distribution of land a meaningless exercise, particularly in the absence of other supportive measures, is a different problem altogether.

Since the entry of outsiders into their regions, land is being continuously alienated from the tribals. Almost all states have passed protective legislations to halt this process. By and large they have failed miserably. For one, in many states they apply only in scheduled areas. The lacunae in the law is an important reason for their failure. For instance, in Chota Nagpur, the Tenancy Act permits transfer of tribal land to non-tribals for as many as twelve reasons. The ignorance of tribal people is another reason, leading to their dependence on corrupt revenue officials or local leaders. In Andhra, for instance, the concerned revenue department which settles the land disputes of the tribals of Adilabad district is situated in Nizamabad, outside the district, well over 200 kilometers from the interior tribal villages. Another reason is the complicated legal procedures involved. In this matter revenue departments and law courts displaced the traditional panchayats. The amount of accumulated unsettled cases is staggering (see appendix). Even in settled cases, the tribals are duped to surrender their land "voluntarily" in the court. In Bardoli taluq of Gujarat, for instance, they have surrendered 6,000 acres of land "voluntarily". In addition to landowners and moneylenders, private companies also adopt all kinds of tactics with the tribals to grab their land for their expansion programmes as, for instance, in Singbhum in Bihar, and Koraput in Orissa. In fact, forest departments themselves have become biggest land grabbers by their arbitrary habit of declaring cultivated areas as forests.

A substantial number of tribals in the country practise shifting cultivation. It is prevalent in almost all of the north-eastern forests and also widespread in Orissa. The practice involves the clearing of forests and burning the slash. Then the seeds are sown into dibbled holes. After the yield of the plot declines, they shift to new plots in the forest. In recent times, due to the steady decline in the area available to them, the shifting cultivators are forced to return to the same plot, preventing regeneration of the forest. Hence, it is generally believed to be a wasteful practice. But the problem is of a complex nature, arising out of both physical and social condition. The terrain in the inclines of mountain sides leave people with no other choice. Tribals are forced to cultivate these difficult hill slopes because no other land is available to them. Besides, this is the only kind of land which never gets alienated from them. The Government instead of attempting to solve the problem at its root, has been following the policy of coercion.

The problem of land in tribal areas is closely linked with the practice of moneylending. Money lenders entered the tribal areas in the late nineteenth century and by now they have become prosperous landowners with diverse operations like contract jobs, trade, etc. The laws to prevent them usually fail because the tribals cannot afford to lose their only source of credit. The Rural Labour Enquiry Commission's report, 1974-75, shows 6% increase in dependence on moneylenders for tribal rural households. Significantly, the Commission also identifies household consumption as the major factor of their indebtedness and the moneylenders as the

major source of their debts.

The extent of exploitation of the tribals by the rapacious moneylender-contractor-trader combine has reached alarming proportions. Their invasion of the forest areas began with the gradual commercialization of forests, [particularly since the 1952 forest policy. Initially, beginning with wood trade only, they have now taken over the trade of other forest produce also, thus establishing a complete monopoly over the economic lives of the tribals. Through unscrupulous moneylending they have acquired control over the tribals' meagre assets. Unequal trade acts as an unending siphon of tribal earnings further involving them in debt. For instance, in Shahdol district of Madhya Pradesh, during the two-month collection season, the tribals are forced to sell mahua flowers for as low as 25 paise per kilo to the trader to meet their urgent financial needs. In the off-season, for their own consumption, they are forced to buy it from the same trader at Rs. 1.50 per kilo, often adding to their debt. The Government bans brewing of liquor by the tribals for their own consumption. Instead, liquor contracts worth lakhs of rupees are bagged by these very people to make huge profits by selling liquor to the tribals.

When it comes to wages and employment, it is again the tribal who gets the short end of the stick. Burdened by his debt, he may be forced to serve as a bonded labour at the moneylender's shop, house or farm. Or the contractor may oblige by employing him for a few days in the year with a pittance as wages. The tribals working on state projects are only marginally better *off as* the wages paid usually fall below the legal minimum wage. The minimum wage itself is very low for forest labour. For instance, in Bihar it is around Rs. 5/- per day. In 1978, the State Governments actually expressed their inability to provide minimum wages unless special assistance was provided by the Centre. In addition to denial of fair wages, the Government has also organised forest villages in some forests where there is a shortage of labour for work of seasonal nature. In these villages, tribals are resettled in interior areas and are obliged to give compulsory labour. In Madhya Pradesh alone there are 1000 such villages. At present forest villages are organised in the forests of Bihar, Orissa, West Bengal, Madhya Pradesh and Maharashtra. In these settlements the tribals do not have a right to the land which they cultivate and are liable to punishment if they do not provide labour to the Government under stipulated wages and conditions. In other words, in these forest villages, tribals are the bonded labour of the Government itself.

Another important problem which the tribals face is the large scale displacement due to industrialisation. Most of the country's mineral resources are concentrated in the forest and tribal regions. Over time major irrigation and power projects, mines and heavy industry have come up in these regions leading to the uprooting of tribals from their native homes. For instance, in Chota Nagpur, India's largest tribal area, sixty percent of the country's industrial and mineral resources are concentrated. In the last thirty years over six lakh tribals have been uprooted in the process of industrialisation. Some of them are rehabilitated, but most often they become destitutes. When these industries began to operate, tribals were never preferred for the jobs. The colonial bias of the administration condemns them to menial contract jobs of casual nature and prefers people from the plains area for the better jobs. Almost all of our heavy industries are situated in tribal areas but an overwhelming majority of their workers are non-tribals. This conscious policy, noted by almost every annual report of the Scheduled Castes and Scheduled Tribes Commissioner, is an important reason for the deterioration of the economic life of the tribals. They ultimately land up as casual wage labourers at the mercy of the contractors or as destitutes in urban areas unable to adjust to the indifference of city life.

The overall impact of this "development process" has been an organised onslaught on the religion, language, culture and identity of the tribal communities. Some tribal communities have become acutely aware of this attack by outsiders on their national identity. Placed in a 'do or die' situation, they have been forced to launch militant political and social struggles in defence of their life and liberty.

## V Forests and Social Movements

Forests have always been the fortress of social movements against successive Governments. As the lands of tribals, forests have been the locale of the discontent where the tribal communities have been erupting into periodic armed revolts. And as terrain, they are suited to long drawn out battles. In fact, whatever attention that the forest dwellers have got from their rulers, they have got because of their militancy. They are often referred to as the "weaker sections" of society. If anything, they should be described as the stronger sections for they not only survive the hardest of lives but have also been the pioneers of social movements that have often changed the course of our history.

The Chota Nagpur insurrection, the revolt of the Nagas in the North-east, the Santhals in Bengal, Mundas in Bihar, Koyas in Andhra, Maria Gonds in Bastar, Kurchias in Kerala, Kond Maliahs in Orissa, the Babejhari revolt in Adilabad are some of the notable examples of forest based revolts during colonial times. Even after independence the trend continued with Naga and Mizo tribal movements in the North-east, Jharkhand movement in Bihar, Warli tribal movements in Maharashtra, Savara and Jatapu tribal armed revolt in the Parvathipuram agency area of Srikakulam district of Andhra Pradesh and the Naxalbari uprising in West Bengal.

Right now, there are at least six notable tribal or forest based movements with different demands and varying degrees of intensity which are attracting the attention of the country.

*North-east* : In the North-eastern region Nagas have been waging an armed rebellion for secession from the country almost since independence. In the sixties the Mizos and in the seventies the Meiteis joined them in demanding separation and independence. It is a measure of the depth of the problem and the continued popularity of the movements that these movements have survived decades of cajoling and repression by the Government. A number of agreements have been reached between the rebels and the Government and a surrender of arms and underground activists followed them. But the movements continued while the agreements became rituals. On the other hand the Government is following a policy of persecution of these tribals. It has acquired extraordinary powers with the Disturbed Areas Act. The areas have been virtually under military rule. Hundreds of battalions of military and para military forces today govern the life of the people in this region. Military tribunals have replaced ordinary law courts and military administration has replaced normal administration. People have been regrouped into new settlement colonies which are, in effect, military prison camps. In the process thousands of people have been uprooted, detained, tortured, maimed or killed. Legitimate democratic rights are denied as the fundamental rights to life and liberty are totally abrogated. The attempt of the Government to keep these areas within the purview of the Constitution has been done in an absolutely unconstitutional manner.

*Adilabad* : In the Adilabad forest region, situated on the Andhra-Maharashtra border, for the last three years, a movement is emerging among the predominantly Gond tribals of the area. Since the merger of the district, then part of Nizam state, into the Indian Union the Government has been vigorously following the policy of intense commercialization of these forests. The rich teak and bamboo forests of the district have become permanent homes of private traders and big industrial houses. The state earns about Rs. 200 million from these forests every year. In the last twenty years more than 1.5 lakh acres of forest area was dereserved to facilitate private trade. This has resulted in cruel exploitation of tribals and the decreasing availability of land for them. The land is mostly controlled by the Andhra and Maharashtra saukars and traders who came as moneylenders and became landowners. This progressive process of land alienation forced the tribals to cultivate the forest area creating contradictions with the Government. Since 1978 a representative organisation of tribals—*Girijana Ryotu Coolie Sangham* (Tribal Peasant Labour Association) affiliated to a CPI (M-L) group began to emerge in the region. It also spread to neighbouring Sironcha taluq of Chanda district of Maharashtra. The growth of the movement invoked heavy repression with armed police camps and large scale arrests. On 20th April last year police opened fire on a meeting of the *Sangham* in which officially 13 people have been killed. But a team of PUDR, which made a detailed examination into

the movement in May, 1981, established that as many as sixty people have been killed in the firing. Presently the movement and the repression continues.

*Chipko* : In April, 1973 the Government of Uttar Pradesh allotted ash trees in the forest area of the Garhwal region to a sports goods company in Allahabad. The same trees had been earlier refused to a village small scale industry at Gopeshwar for making yokes for the bullocks. The light durable ashwood used for making yokes for centuries in the region is also useful for making cricket bats. This decision of the Government immediately caused a protest movement among the villagers. When the contractors came to fell the trees, the villagers gathered around and hugged the trees ('*Chipko*' in Hindi means 'to stick', and is used to express hugging). Soon the movement engulfed the entire region and came to be known as the *Chipko* movement. The movement was coordinated by a Sarvodaya organisation called the *Dasholi Gram Swaraj Sangh*. Initially the movement raised economic demands like the demand for forest labour cooperatives in place of the auction system, wide network of forest based industries to keep the wealth of the forests within the region, people's participation in forest management, and protection of people's rights to collect fuel and timber. Soon the movement spread to Kumaon region where *Uttarakhand Sangh-arsh Vahini* is organising the people. Over time the movements in this region became the focal point for the ecological demand to protect the forests from destruction. Their sustained agitation forced the Uttar Pradesh Government to ban felling of trees in hill areas. Activists of the *Chipko* movement set out on a long walk (*padayatra*) on Kashmir-Kohima trek campaigning for afforestation programmes and people's participation in forest management.

*Maharashtra* : Since around mid 1975, the Thane district in Maharashtra, the centre of earlier Warli tribal revolt, once again saw the emergence of a movement. Initially a new organisation called *Bhoomisena* began to organise tribals primarily against money-lending, land alienation and contracting system. A little later, another organisation, *Kashtakari Sangathana*, also emerged as one of the leading organisations in other parts of the same region. Recently, they joined hands with *Shramik Sangathana*, an organisation active in Dhulia district organising landless peasants since the early seventies, and formed a *jungle bachao* committee in Maharashtra. The *Jungle Bachao Andolan* is slowly becoming a focal point of the ecological movement in Maharashtra and is encountering repression from the state, local landowners and in some cases from the established political parties of the region.

*Jharkhand* : In the entire Chhota Nagpur, Santhal Parganas and its neighbouring sixteen districts in Bengal, Orissa, Madhya Pradesh and Bihar, the tribals and other local people have been agitating for a separate Jharkhand state within the Indian Union for the last 42 years. The focal point of the movement is Bihar. Here again the Government adopted a dual policy of buying over its leadership with lucrative offers and posts on the one hand, and repression on the other. The reasons behind the Jharkhand movement are the neglect of the development of the region and the gradual destruction of the tribal society and its economic base. In the last one hundred years, outsiders have usurped the Adivasi lands and the tribal society was subjected to relentless disintegration under the pressures of the Government's industrialization programmes. A large number of tribals were deprived of their land without adequate compensation. Neither have they found adequate jobs in the industrial complexes. With the loss of their traditional rights, massive dislocation and no provision for alternative livelihood, the economic and social basis of their society stands destroyed. The consequent unrest among the tribals expressed itself in the political demand for a separate Jharkhand, which even today is the continuous demand of the people of the region.

*Singbhum* : Within the Chhota Nagpur, the Singbhum district is in the throes of a continuous forest movement since 1978. It consists primarily of Ho tribals along with Munda, Kurmi and Santhals. The district is part of *Saranda* forests, Asia's most dense forest region.

The tribals have been driven to revolt against the Government essentially due to three reasons : the Bihar Forest Corporation's policy of replacing useful *sal* and *mahua* forests with teak which is commercially more profitable but of no use to tribals, the forest department's gradual grabbing of the cultivable land



of the tribals by classifying them as forests and the policy of appropriating the burial grounds of tribal communities. Since the time the British declared many forest areas as reserved forests, a number of tribal forest villages have been destroyed and their inhabitants forced out. Every tribal village had a burial ground in which the clan members of that village used to bury their dead. The tribals believe that, if buried at the same spot, the departed soul resides with their ancestors in the other world and thus the unity of the clan will be maintained. With the uprooting of the tribals from the forests, their burial grounds were lost and the clan got scattered. This has hit at the root of their cultural and religious value system. The movement arose essentially out of demands arising from the above reasons. The Government has responded by unleashing a wave of repression.

In November 1978, one person was killed at Ichahatu village in police firing and three were killed in Serengda. Around the same time in Bharagora (which is not in a tribal area), the police and landlords together created a reign of terror. Large scale arrests, beatings and molestation of women were reported. At that time PUDR (then known as PUCL & DR, Delhi unit) conducted a detailed investigation into the movement in the district.

In August, 1979, the tribals armed themselves with bows and arrows, collected in thousands, and with the beating of drums started to cut down the teak forests, uprooting the teak nurseries and demanding their replacement with more useful fruit-bearing trees. The tribals collectively also destroyed the forests planted on their agricultural land and once again began cultivating their lands. The Government arrested them and filed cases against them. In a historic judgement, the Patna High Court upheld the right of about 25 tribals to cultivate their land in the area of their village which the Government had appropriated as "forest area". The tribals also entered the reserved forests, occupied their ancestral burial grounds and raised the demand for compensation for their ancestral lands taken over by the Government.

The movement evoked battalions of Central Reserve Police and Bihar Military Police. Scores of tribals were arrested and sent to jail, their villages burnt and women raped by the police. A demonstration of the Jharkhand Mukti Morcha was fired upon. In November, 1980, a clash took place between the police and the tribals in which the bows and arrows of tribals killed four policemen. To avenge this, the police entered the nearby hospital in Gua, where injured tribals were admitted, and shot dead 11 tribals at point blank range. This firing was followed by large scale repression in the area in which the office of a local journal was raided, its editors were arrested and scores of people were sent to jail. Presently, the movement and the repression are both continuing.

It is evident that the general policy of the Government towards the tribals and other inhabitants of forests has been a policy of indifference towards their problems and repression towards their movements. In fact, this policy has to be seen in the context of unbridled commercialization which the Government has encouraged.

## VI Forests and Environment

The forest policy of the Government in 1952 talks of the need to protect the forests from destruction. Yet in the thirty years that have elapsed since then, millions of hectares of forests have been despoiled seriously threatening our environment.

This continuous destruction of forests causes deterioration in the quality and productivity of the land due to soil erosion. Every year about 6000 million tons of top-soil is lost in this process. The deforestation also leads to decrease in rainfall. In North Kanara district of Karnataka, for instance, the average annual rainfall has decreased by about sixteen percent due to the destruction of one lakh acres of forest land. Besides, destruction of forests is the chief reason for floods in India. In the last ten years alone, flood prone areas have increased by about 20 million hectares. For instance, owing to the denudation in the North-eastern hills of Arunachal Pradesh, the bed of the Brahmaputra river has risen by 14 feet causing floods almost every year in Assam. Last year 10 million hectares of land was affected by floods in which 58,000 cattle and 1200 people lost their lives. Average annual loss due to floods is as high as Rs. 1000 crores. Deforestation also causes droughts and desertification. In addition, destruction of forests leads to land slides as in the hills of Himachal Pradesh. Silting of canals and reservoirs is also caused by deforestation. Forest land occupies a large proportion of the river valley catchment area and determines soil stabilisation and stream flow. Soil erosion and high siltation of river beds have jeopardised nearly 39 major river valley projects. In the end, all this means tremendous food shortages and untold human misery. For example, deforestation and desertification have forced lakhs of hill dwellers from the Western Ghats of Maharashtra to migrate to Bombay city while their women and children eke out a precarious existence in their native villages.

In recent times, strong public opinion against this wanton destruction of forests has built up, led by the environmentalists. The anxieties of western Governments over the possible industrial recession they will face in the long range has also helped to promote the campaign for the protection of environment. The "Global 2001 Report to the President" submitted to the American Government warns of the dangers of increasing demand for aid and reduction of the markets for products of industrialised economies that will ensue from food and fuel shortages caused by deforestation in tropical Asian countries like India. Slowly, the Indian Government woke up to discover that no less than 4.2 million hectares of forest land had been destroyed since independence.

The Governments at the state and central levels began to encourage afforestation programmes. State Governments have spent Rs. 10 crores for such programmes. Of the 38 lakh hectares of land that has been brought under afforestation programmes since independence, 22 lakh hectares have been devoted to economic and industrial plantations while 14.8 lakh hectares have been devoted to quick growing species like eucalyptus and casuarina. Recently, the Central Government has started championing the so-called social forestry programmes. What exactly this "social forestry" means is clear from the fact that in the Sixth Plan while Rs. 356 crores is allocated for commercial forestry, only Rs. 50 crores is allocated for fuelwood plantations.

A large part of the funds for these plantation programmes comes from Western agencies, who encourage them for their commercial needs. Their programmes cannot be actually described as afforestation programmes since they are destroying existing forests to plant these new forests. Such large scale plantations destroy natural forests and displace mixed forests with single species plantations. Natural forests include not only trees but a variety of flora such as bushes and grasses, which are essential to ground water recharge (see appendix). With the replacement of the mixed forests with single tree plantations as, for example, pine in Uttarakhand and Bastar and eucalyptus in the Nilgiris, ground water reserves cannot be recharged as effectively as previously. The controversial World Bank project in the Bastar region of Madhya Pradesh to plant pine trees in about 1000 hectares every year is a good example of the displacement process. Recommended by Ford Foundation, this project involves destruction of rich *sal*, *mahua* and fuelwood forests of Bastar to plant pine plants for the production of

high quality paper. However, the pine plants imported from Pacific islands for this purpose are totally unsuited to the local soil and environment and will prevent the growth of other plants and trees in the adjoining areas. Similar is the case with the World Bank's eucalyptus plantations in Kolar district of Karnataka and the pine plantations in the Himalayas. The Swedish development agency, SIDA, is financing a Rs. 105 crore project in Tamilnadu whose products will eventually help WIMCO, a Swedish multinational match company. In general all these so-called afforestation programmes aim at satisfying the paper, resin and wood industries at the cost of forest produce necessary for the local population.

These programmes apart, the forest needed for our people and environment is under destruction for the last thirtyfive years. Officially, about 4.2 million hectares of forest is acknowledged as destroyed. But the figures are under-estimates. As pointed out earlier, the Forest Department includes agricultural and even barren lands under its category of "forests" and illegal destruction in reserve forests is never acknowledged. In Madhya Pradesh alone about two million hectares of forest were destroyed. The official figures for Orissa (43.7% of total area), Himachal Pradesh (39%) and Assam (39.2%) differ from the estimates of satellite photographs for these three states, at least by 30, 19 and 23 percent respectively. The all India estimates, via satellite photographs, put forest cover area now at 8 to 10 percent only against the official 23 percent. In all this jumble of figures nobody seems to have taken into account the increase in the original area to the tune of 260,000 hectares due to the absorption of Sikkim into the Indian Union.

Various people give various reasons for this destruction of forests. Environmentalists, official reports, media coverage, all give a number of reasons, often contradictory, for the deforestation. We will classify the causes as belonging to four types : natural, agricultural, developmental or commercial, and tribal practices.

*Natural Causes* : Plant diseases like fungus infection and forest fires are two main natural causes for deforestation. Forest fires can be either ground fires, surface fires or crown fires. They occur due to causes like solar radiation, rubbing of dry bamboo, etc. They also occur due to accidental reasons like fire spread from labour camps, or picnic spots, match sticks and cigarette or *bidi* butts. In some regions villagers are also held responsible for them as they often burn brushwood just before the monsoon to enrich the land with ash. In general, most of the natural causes are part of the natural recycling process. In any case they play only an insignificant role in deforestation.

*Agricultural Use* : The general land hunger and the alienation of tribal land have increased the demand for agricultural land resulting in more and more forest being turned into cultivable land. Similarly, the increase in cattle population has led to intense grazing in the forest area (about 11% of our 400 million cattle graze in the forests) causing denudation. The root of this problem has been the decreasing availability of land for poor agriculturists and their cattle.

*Developmental or Commercial Causes* : There are two ways in which forests are destroyed due to commercial or developmental needs : clearing or submerging of forests for the establishment of projects or felling of trees for trade and industry. River valley projects, road construction, heavy industry and mining, all require either submergence or clearance of forest land. Large tracts of land were submerged due to river valley projects, particularly since the mid-fifties. (Public pressure has forced the Government to shelve Kerala's controversial Silent Valley project involving the submersion of large areas of natural forest.) Often, lack of proper planning in these projects causes destruction. For instance, the Linganamakki reservoir on Sharavati river in Karnataka was filled to capacity only thrice during the last twenty years due to the over-estimation of inflow into the reservoir from the catchment area. Had the dam height been lower, several thousand hectares of forest land would have been saved. Similarly, heavy industry and mining have destroyed large tracts of forest. Rehabilitation of displaced forest people in new regions is ironically another reason for deforestation. For instance, the tribals displaced due to Kali hydroelectric project in Karnataka were resettled in Belgaum by de-reserving the forests there. Road construction programmes in the

interior forests also require clearing of forest lands. Eventually these roads have facilitated the transport of commercial wood by contractors on a large scale. All the above programmes are part of the large scale industrialisation process that is sweeping across the forest areas since the Second Plan. This process has contributed a major factor in the deterioration of forests. Air pollution from neighbouring industries causes harmful changes in the water balance of plants, damage to tissues, weakening of photo-synthesis, slowing down of growth and premature death of trees. In the long run polluting industrial gases reduce the density of forests and decrease the quality and yield of wood.

Felling of plantations for trade and industry is another type of forest destruction for commercial needs. Legal felling of trees itself has reached alarming proportions due to the extraordinary emphasis put by the State Governments for the realization of maximum revenue. Apart from this, large scale illegal felling of trees is done by the contractors with the connivance of officials. In Uttar Pradesh, for instance, a quarter of Government owned reserved forest area is destroyed due to this illegal felling. The continuous removal of fuel wood is another important reason for the large scale felling of trees. Often people in the neighbouring region are blamed for the removal of fuelwood. A substantial amount of fuelwood being removed from the forests is consumed by rural and urban households and not by the forest dwellers. In any case, the bulk of their firewood comes from twigs and dead wood.

*Tribal Practices* : The tribals are held responsible for the destruction of forests due to shifting cultivation, customary rights, poaching, illegal felling, etc. In addition, they are also held responsible for the extension of agricultural land, cattle grazing, forest fires and removal of fuelwood. Shifting cultivation, customary with the tribals, is a wide-spread practice only in the North-east and Orissa. In fact, despite strong arguments against it, so far no reliable estimates of area under shifting cultivation exist for regions outside the North-east. This is essentially a problem of land availability and the land problems of the tribals cannot be solved until Government learns to respect its own laws. Large scale felling requires sophisticated tools like saws and big trucks. It requires common sense to realise that it is not the tribals who possess them but contractors and forest officials. Further, when the tribals cut the trees, by custom, they never entirely remove a tree which the unscrupulous private interests do for large profits. Almost all their needs are met by lopping off developed branches. As far as customary rights are concerned, we have already seen their progressive loss under successive Governments. Tribals have hardly any commercial interests in exercising their rights. The arguments against the tribals are vague and general, never substantiated. The use of forests by the tribals, which is reduced to the lowest level now, must be seen in the context of their food, fuel, fodder, and shelter requirements. In fact this use of forest by the tribals cannot be a significant part of the deforestation process. Generations of tribal communities over centuries have established a harmonious ecological balance with the forests. Their taboos and customs prevent them from destroying forests. Their forest practices are an inseparable part of their religion and culture. Both knowledge of past history and concrete studies of their contemporary practices makes it evident that the forest dwellers are crucially required to prevent deforestation.

Evidently, coupled with their role in preservation of forests, tribals play a negligible role in the process of deforestation. Yet a systematic campaign over the years has been built up that the tribals are responsible for the large scale deforestation. The argument is never substantiated, never established, but continuously voiced. While the commercial needs of private interests have been held as the "inevitable requirements of the development process", the meagre food and shelter requirements of the tribals have been treated as the chief reason for the destruction of forests. And it is with these blatantly false assumptions that the Government has introduced the latest bill.

## VII Forests and the New Bill

In November 1978, during the Janata Government, following changes in many State laws and the recommendations of the National Commission of Agriculture, the Central Board of Forestry prepared the first draft of a comprehensive new Act to replace the existing Indian Forest Act, 1927. The draft was sent to various State Governments for comments. The Board, in its eighteenth meeting on the 25th of August, 1980, finalised the draft of the new Act, which is now under consideration of the Government.

The stated objective of the act is to prevent large scale deforestation. It seeks to prevent the use of forests for agricultural purposes, to eliminate private contractors, to maximise the State Government's revenue and to regulate the customary rights of the people. The Act has fifteen chapters consisting of 143 sections covering all types of forests including urban tree lands.

The definition of forests in this Act includes "any land whatsoever... which the State Government declares to be a forest". And it specifies 36 products including tree leaves, flowers and fruits as forest produce in addition to "all other parts or produce of trees not-here-in mentioned".

It empowers the State Government to declare any area as reserved forest area in which all shifting cultivation is prohibited unless given permission by the State Government. Any claims or rights existing in the declared reserved forest area are to be submitted to the Forest Settlement Officer who "shall pass an order admitting or rejecting the claim". For such purposes the Forest Settlement Officer may assume "powers of a civil court". For acquiring such land he is "declared to be a collector". All claim will eventually be settled in the "forest court" to be established by the Government, the judgements of which are subject to ratification by the State Government. Even after the acceptance of such claims, the State Government has the right to reject or commute the rights at any time. In simple words, it means that all rights are extinguished. Even if later the Government decides to dereserve the forests, "the rights shall not revive". In such reserve forests as many as 40 practices are listed as offences which include "trespassing" or "gathering forest produce" including leaves, grass, flowers and fruits.

In forests declared as protected forests, the rights of people are "to be recorded at a survey or settlement". The State Government acquires power to control plantations and all forest operations including "cutting of grass and grazing, hunting...". Fire or theft in the protected forests can make the State Government suspend all rights "recorded at a survey or settlement" of the neighbouring population. It lists a large number of offences which includes collection of leaves fallen from trees. The State Government is empowered to take over trade or grant licences in the trade of forest produce.

In village forests, the Government has the right to prescribe rules of management to the people, failure to comply with which is an offence. In addition, the State Government can regulate or prohibit a number of acts "in any forest or wasteland not being the property of the Government". Such acts include the collection of grass or leaves. No order of the State in this regard "shall be liable to be questioned in any court of law". In some circumstances, the State Government can assume powers to manage village forests and private plots.

In all the forests the Central Government acquires the right to impose duty on timber while State Government can levy all other "forest produce". Further, State Government acquires complete rights to appoint "any person, company, corporation, co-operative society" for the trade and transport of all forest

produce.

All offences committed under this Act are cognizable. They include even the casual activities of the people in neighbouring areas like walking in the forests or picking flowers. Tools used in committing a forest offence can be confiscated and any opposition to seizure is an offence. Even the inability to inform the officials about an accidental fire or cattle grazing is an offence. The punishments range from imprisonment upto three years to a fine upto Rs. 5000/-or both. If the offence is committed under "aggravating circumstances" like "after sunset or before sunrise", the punishment can be doubled. Forest officials are vested with magisterial powers and may "arrest a person without a warrant . if a reasonable suspicion exists". In the trial, the officials "can conduct the prosecution". No legal procedures can be launched against a forest official for "anything done by him in good faith under this Act", unless given permission by his superior official.

The implications of this dangerous Act to our environment, economy, constitution, democratic polity and to the people who inhabit the forests are quite evident.

The Act gives extraordinary powers to the Government to control the plantation, production, collection, trade and transport of all produce that directly or indirectly originate from forests. Though it gives powers to the State Government to take over trade and eliminate contractors, this may not result in the removal of middlemen. In that very meeting of the Board which proposed the bill, a new ten-year programme was chalked out for the elimination of contractors. But the Act itself gives power to the Government to lease forests to any private party it likes. It legitimises all the illegal and corrupt practices of forest officials by giving them all powers. All this means only more plantation of commercial trees replacing the natural forests and further commercialization of forests which is a serious threat to our environment.

The Act is a complete violation of our constitution. It blatantly violates the fundamental right to life and liberty. The Government, always keen on guarding the right to property of the rich, is assuming powers to take over or manage the private plots of tribals without even a pretense to paying them compensation. It violates almost all the directive principles of the Constitution including the right to work, right to earn adequate livelihood, safeguarding of the environment and separation of the judiciary from the executive. It abrogates the autonomy and authority of lower bodies including the State Governments.

But the main thrust of the Act is against the tribals and other inhabitants of the forests. With a single stroke of the pen, the Government is abolishing all their traditional communal and democratic rights. With this Act, any chance of earning a decent livelihood for them will be destroyed. They will be reduced to a state of total dependence on forest officials who now assume powers to become in turn a revenue official, a civil court, a collector, a police official, a magistrate, a prosecutor, a judge and a jury.

## VIII Conclusion

The process of destruction of forests has reached a stage where it is causing floods and famines, food and fuel shortages, leading inexorably to a colossal human tragedy. And the catastrophe may be much sooner than we expect. Even the Government has now acknowledged the crisis. But its response to the crisis is singularly undemocratic.

The environmental needs, the use of forest resources and the welfare of forest dwellers, originally balanced in a harmonious relationship with each other, now appear to the public to be mutually conflicting needs. And deforestation has become an "inevitable consequence of the development process". But it is the state policy—in its choice of a development process that requires continuous clearing of forests, and in its championing of commercial interests that promote ruthless felling of trees—that have made an avoidable destruction into an inevitable contradiction. And in its response to the consequent crisis, the Government is exonerating itself of its own responsibility. Instead, it is holding the native inhabitants of the forests responsible for it.

In fact, the state policy ("maximising annual revenue") has required gradual and systematic attacks on the life of the local people. Faced with such an onslaught on the quality of their life, their social moorings and their cultural heritage, forest people have adopted a path of struggle. And the Government has responded with all the coercive apparatus at its command. Right today, in at least three major forest regions, in the North-east, Chota Nagpur and Adilabad, massive repression is going on. This is a denial of their right to dissent.

The state forest policy has eroded the source of employment of the natives of the forests. Over time, they have been forced out of their homes to establish industries in which they were never given any jobs. Permanent settlers with stable life and livelihood were turned into casual labourers at the mercy of traders, contractors and Government officials. This is a blatant denial of their right to work.

The state forest policy has sought to erode the democratic character of tribal social and economic life in order to attain its own goals. The inalienable rights of the tribals, which were acknowledged as "rights of communities" in 1864, became "rights and privileges of persons" in 1927. Later, in 1952, they became "rights, privileges and concessions". And with the new Act they are becoming *crimes*. Gathering grass, picking flowers and even a casual walk in the forests ("trespassing") are now listed as offences punishable with prison sentence. This is a denial of their right to live with dignity.

Thus the state forest policy has not merely eroded the forest people's customary rights, but is also denying their right to dissent, their right to work, and their right to live with dignity. The coercive action required to enforce such a denial is being given legal sanction by the new forest Act. In effect this is launching a war against the forest people.

In the destroyed forests of the Himalayas, in the ruinous eucalyptus plantations of the Nilgiris, in the imported pine forests of Bastar, in the lost lands of Koraput, in the coffee plantations of Goa, in the famine stricken land of Santhal Parganas, in the usurped graveyards of Chota Nagpur, in the industrial hinterland of Dhanbad, in the forest villages of Maharashtra, in the armed police camps of Adilabad and in the barbed wire colonies of Nagaland, the quiet battles of millions of our forest people will now enter a new phase with the present Act.

And democratic sections must express their opposition to this unilateral declaration of war by the Government.

## Appendices

- 1.1 India : Forests, 1980-81
- 1.2 Forests : Ownership, Status and Composition
- 2.1 Central Forest Acts : a Chronology
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- 6.1 Afforestation Programmes
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- 6.3 Foreign Agencies in Forests
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### 1.1 India : Forests, 1980-81

Total Forest Area: 74.8 million hectares

Forest Area as percentage of Total Area : 22.7%

### 1.2 Forests : Ownership, Status and Composition

	(percent)	
	<i>1965-66</i>	<i>1976-77</i>
<b><i>Ownership</i></b>		
State	95.2	95.8
Corporate Bodies	3.0	2.6
Private individuals	1.8	1.6
<b><i>Legal Status</i></b>		
Reserved	49.6	52.2
Protected	32.5	31.0
Unclassified	17.9	16.8
<b><i>Composition</i></b>		
Coniferous	6.1	6.4
Broad-leaved	80.6	84.9
Bamboo	13.3	8.7

*Source* : Development of Forestry and Forest Products ; Country Profile-India, 1981, Ministry of Agriculture (DFFP, Country Profile,



India, 1981)

### 2.1 Central Forest Acts : A Chronology

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1864	The Government Forest Act
1878	The Indian Forest Act
1890	The Forest Act
1891	The Amending Act
1901	The Indian Forest (Amendment) Act
1911	The Indian Forest (Amendment) Act
1914	The Repealing and Amending Act
1918	The Indian Forest Amendment Act
1920	The Devolution Act (Amendment)
1927	The Indian Forest Act
1980	The Forest Conservation Act

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*Source* : Report of the National Commission of Agriculture, Part IX, Forestry, 1976 (NCA, 1976), p. 359

### 2.2 Other Central Acts Relevant to Forests

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1860	The Indian Penal Code
1871	Cattle Trespass Act
1871	The Indian Evidence Act
1872	The Contract Act
1894	The Land Acquisition Act
1908	The Land Registration Act
1930	The Sale of Goods Act
1963	The Limitations Act
1972	The Wild Life Preservation Act
1973	The Code of Criminal Procedure Act

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*Source* : NCA, 1976, p. 363

### 3.1 Forest Department : Revenue, Expenditure and Surplus

(in Rs. crores)

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<i>Average for the period</i>	<i>Gross Revenue</i>	<i>Expenditure</i>	<i>Surplus</i>
1936-37 to 1938-39	2.59	1.94	0.64
1945-46 to 1947-48	14.93	6.77	7.86
1951-52 to 1953-54	24.01	10.62	13.39
1961-62 to 1963-64	69.38	32.23	37.15
1969-70 to 1971-72	135.87	73.49	62.38
1980-81	472.55	317.82	154.72

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*Source* : For 1980-81, DFFP, Country Profile, India, 1981  
For the rest, NCA, 1976, p. 7 and p. 16

### 3.2 Minor Forest Produce : Growing Commercialization

(in Rs. crores)

<i>Year</i>	<i>Outturn</i>
1950-51	6.92
1960-61	10.60
1970-71	35.04
1972-73	50.69

*Source* : Compiled from Forest Statistics of India

### 3.3 Production of Select Forest Based Industries

(in '000 tonnes only)

<i>Industry</i>	1960	1970	1974	1979
Paper and paper-board	370	758.0	837.4	1150.0
Newsprint	20	37.3	54.8	50.0
Plywood	—	72.8	92.8	116.8
Fibreboard	—	22.0	25.0	19.1
Rayon Grade pulp	—	88.5	113.8	93.0
Essential Oils	—	59.0	—	—
Oilseed	—	233.5	—	—
Resin	30.3	41.7	—	—
<i>Tendu</i> leaves	—	80.8*	96.8*	—
Lac	—	24.6	19.3	—
Myrabolans (for tanning)		107,500 tonnes in 1967		
<i>Katha</i> and <i>Cutch</i>		7000-9000 tonnes annually		
Matches (million boxes with 50 lights each)	6,630	6,803		

\* for Madhya Pradesh only

*Source* : (i) DFFP, Country Profile, India, 1981 ;

(ii) NCA, 1976 ;

(iii) Forest Statistics of India ;

(iv) Annual Survey of Industries

### 3.4 Production of Wood in India

(in million cubic metres roundwood)

<i>Year</i>	<i>Industrial Wood</i>	<i>Fuel Wood</i>
1956-57	4.46	10.18
1961-62	5.43	10.75
1969-70	8.93	12.86
1979-80	13.50	18.50

*Source* : (i) DFFP, Country Profile, India, 1981

(ii) NCA, 1976, p. 16

### 3.5 Forest Produce Trade: Nationalization

<i>Product</i>	<i>State (in which the trade is Nationalized)</i>
<i>Tendu Leaves</i>	Madhya Pradesh, Maharashtra, Rajasthan, Andhra Pradesh
<i>Apta Leaves</i>	Mahatashtra
<i>Gum and Bamboo</i>	Madhya Pradesh
<i>Sal Seed</i>	Bihar
<i>Sandalwood</i>	Karnataka, Tamilnadu, etc.

Source: NCA, 1976, pp 269-70

### 4.1 Portrait of Tribal Population

<i>Year</i>	<i>Population (in crores)</i>	<i>Percentage in total population</i>	<i>Literacy (percentage)</i>
1951	2.25	6.23	-----
1961	2.9	3.8	8.54
1971	3.8	7.00	11.29
1976	4.1	7.5	---

*Source:* Annual Report of Commissioner for Scheduled Castes and Schedule Tribes, Government of India (RCSCST)

### 4.2: Secedule Tribes: Average Daily Earnings

<i>Year</i>	<i>Non Agriculture Operation</i>		
	<i>Men</i>	<i>Women</i>	<i>Children</i>
1964-65	1.67	1.49	0.88
1974-75	3.82	2.34	1.76

*Source:* Rural Labour Inquiry Commission Report (RECR)

### 4.3 Tribals in Debt

<i>Year</i>	<i>No. of Tribal Rural Labour Households (in millions)</i>	<i>Percentage Indebted</i>
1964-65	1.8	45.5
1974-75	2.6	48.8

Source : RECR

### 4.4 Shifting Cultivation

<i>State/ Union Territory (North-eastern region)</i>	<i>Area under shifting cultivation at one time ('000 ha)</i>
Arunachal Pradesh	92.00
Assam	69.60
Manipur	60.00
Meghalaya	76.00
Mizoram	61.61
Nagaland	73.54
Tripura	22.30
Total	455.05

Source: NCA 1976, p. 148

### 4.5 Land of Tribals : Legal Disputes

<i>State</i>	<i>No. of cases registered</i>	<i>No. of cases disposed</i>			<i>No. of cases in which land restored</i>
		<i>Total</i>	<i>in favour Of S.T.</i>	<i>against S.T.</i>	
Andhra Pradesh (upto April, 1980)	49630	46090	—	—	22378
Bihar (upto April, 1979)	43335	40416	24443	15973	—
Gujarat (upto April, 1980)	17171	8898	8648	250	795
Maharashtra (upto April, 1980)	47332	43643	17731	25912	13713
Orissa (upto April, 1980)	49630	46090	22378	—	22378

Source : RCSCST

## 5.1 Tribal Movements: A Chronology Since The First Forest Act

1867: Revolt in the Andamans  
1869-70 : Santhal unrest in Dhanbad  
1872-73 : Dafla's revolt  
1879: Naga revolt  
1880: Koya revolt, Makangiri, Orissa  
1883: Sentinal islanders attack, Andamans  
1889: Sardari agitation of Mundas, Bihar  
1891: Meitei revolt in Manipur  
1892: Eastern Lushais uprising in Assam  
1895: Birsa Munda's arrest  
1911, 1913, 1914 : Bastar tribal revolt  
1920-1921 : Tana Bhagat rebellion, Bihar  
1922 : Koya rebellion in eastern Andhra  
1932 : Rani Guidallo's non-christian Naga revolt  
1941 : Babejhari revolt in Adilabad  
1942 : Lakshmana Naik's Koraput revolt in Orissa  
1942-45 : Andaman tribal revolt  
1946-48: Warli revolt in Maharashtra  
1940 ...: Jharkhand movement  
1947: ...:Naga tribal insurrection  
1960 ...: Mizo insurrection  
1967-70: Tribal Revolt in Srikakulam  
1967-71: Naxalbari Revolt

*Source:* Adapted from "Tribal Revolts" by V. Raghavaiah

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<b>6.1 Afforestation Programmes . 1951-1980</b>	(in lakh hectares)
Economic and Industrial Plantations	22.0
Quick growing species	14.8
Others	00.515
Total	37.315

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*Source :* Sixth Five-Year Plan, 1980-85, Planning Commission, p. 136 and DFFP, Country Profile, India 1981, p. 45, p. 77.

## 6.2 Deforestation

	<i>Area (in '000 ha)</i>
1. Road Construction	57.1
2. River Valley Projects	479.1
3. Establishment of Industries	127.2
4. Agricultural use	206.9
5. Miscellaneous (including natural causes, commercial felling, rehabilitation programmes and tribal practices)	965.4
Total	4135.7

*Source* : DFFP, Country Profile, India, 1981

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## 6.3 Foreign Agencies in Forest

<i>Agency</i>	<i>No. of Projects</i>	<i>Location of Projects</i>
FAO	4	West Bengal, Kerala, Bihar, Karnataka, Uttar Pradesh, Gujarat
World Bank	3	Uttar Pradesh, Himachal Pradesh and at national level
IFAD	3	Kerala, Andhra Pradesh, Himachal Pradesh
UNDP	9	U.P., Bihar, M.P.
SIDA	4	Bihar, Kerala, U.P.
Others	10	Himachal Pradesh, West Bengal, Uttar Pradesh, Kerala
Social Forestry Programmes of World Bank, US AID, SIDA	12	All States

*Source* : DFFP, Country Profile, India 1981, pp. 79-84 and p. 132

## 6.4 Natural Forests vs. Commercial Plantations

In many parts of the country, the forest department is replacing natural forests with plantations of commercially valuable species of trees. This change has far reaching consequences. A natural forest has a wide variety of plants and trees in it. There are the tall sunlight-seeking trees, the medium-sized plants and shrubs, and the grasses that spread out on the forest floor. These plants derive their nutrition and water from the soil and carbon dioxide and oxygen from the atmosphere for their growth. In turn they enrich the soil back through their leavedroppings that dry up and mix with the soil. The roots of the leguminous plants have nodules of bacteria which help in transforming the atmospheric nitrogen into

soil nutrients. The forest cover also checks the force of falling rain thus preventing soil erosion. The thick vegetation on the forest floor also facilitates gradual percolation to ground water preventing it from flooding away. The replenished ground water is the water source for the wells, streams and rivers in the plains during the dry season. The roots of the plants keep the soil bound together preventing erosion and landslides. The plants replenish the atmosphere with fresh oxygen. The green cover of the forests maintains the humidity over the region thus controlling the climate and favouring rainfall. Apart from this, natural forests also abound in insects, birds and animals who live by feeding on the plants or some other animal. They in turn also play a crucial role in the growth of plants through pollination, dispersal of seeds and enriching the soil by their droppings. Above all, there are also the human dwellers in and around the forests, utilising the plant and animal resources and the physical environment of the forests, and in turn enriching it through their practices of planting and protecting trees.

Thus a natural forest is a complete system, called an 'ecos-system', of plants, animals and the physical environment maintained in a mutual balance. Any process that upsets this balance will lead to destruction. In commercial plantations of select species only, this system balance is destroyed. The non-commercial plants and the insects, birds and the animals dependent on them are the first casualty. As a consequence, the soil loses its source of nutrients, the roots that bind it and protection from rain water flow. Soil erosion, floods and landslides are immediate consequences. The replenishment of atmospheric oxygen and humidity is cut down. This in turn further affects plant growth. And an inevitable cycle of degeneration sets in. There is ample experience to show this. In the pine plantations of Uttarakhand, the tree fern lengda used for food and ringal, a wild grass used for making baskets have become extinct. In these plantations the acidity of the soil is increasing rendering it infertile. Soil erosion from these plantation slopes is of the same order as that on a barren slope. In the Nilgiris, the steady expansion of wattle and eucalyptus plantations has led to a decline in water flows of perennial streams. Development of commercial forests ignoring basic natural laws can only lead to disaster.

*Source* : A note prepared by Kalpavriksh, Delhi's environmental action group.