

**COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(1994-95)**

(TENTH LOK SABHA)

**FORTY-FOURTH REPORT**

**MINISTRY OF ENVIRONMENT AND  
FORESTS**

**Forest Policy in Relation to Command Over and Access of Tribal People to  
Forest Resources**



सत्यमेव जयते

*Presented to Lok Sabha on 25.4.1995*

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**LOK SABHA SECRETARIAT  
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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND SCHEDULED TRIBES  
(1994-95)**

**Shri Paras Ram Bhardwaj — Chairman**

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**SECRETARIAT**

1. Shri S.N. Mishra — *Additional Secretary*
2. Shri G.C. Malhotra — *Joint Secretary*
3. Shri Babu Ram — *Deputy Secretary*

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\*ceased to be Member of the Committee on his resignation from Lok Sabha w.e.f. 24 March, 1995.

## INTRODUCTION

1. The Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to finalise and submit the Report on their behalf present this Forty-Fourth Report (Tenth Lok Sabha) on the Ministry of Environment and Forests — Forest Policy in relation to command over and access of tribal people to forest resources.

2. The Committee took evidence of the representatives of the Ministry of Environment and Forests on 17 August, 1993, 29 June, 1994 and 1 August, 1994. The Committee also took evidence of two non-official witnesses i.e. Shri B.D. Sharma, Former Commissioner for Scheduled Castes and Scheduled Tribes and Shri S.R. Shankaran, Former Secretary, Ministry of Rural Development on 22 April, 1994 and 26 April, 1994 respectively. The Committee wish to express their thanks to the officers of the Ministry of Environment and Forests and also to Shri Sharma and Shri Shankaran for placing before the Committee material and information the Committee wanted in connection with the examination of the subject.

3. The report was considered and adopted by the Committee on 17 April, 1995.

4. A summary of conclusions/recommendations contained in the Report is appended (Appendix).

NEW DELHI;  
April 20, 1995

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Chaitra 30, 1917 (S)

PARAS RAM BHARDWAJ,  
*Chairman,*  
*Committee on the Welfare of*  
*Scheduled Castes and Scheduled Tribes.*

## **CHAPTER I**

### **INTRODUCTORY**

The Primary resources other than agriculture in the traditional economy are forests, wastelands and water on which the ordinary people depend for their living. The pressure on natural resources due to production of physical goods for meeting the requirements of growing population has increased sharply resulting in resources becoming increasingly scarce. They have also greatly deteriorated and in some cases even have become extinct. The first adverse effect in the process of deterioration and destruction of natural resources is on the forest. Depletion of forests not only leads to the weakening of the economic base of the peoples life but it also adversely affects environment.

Therefore, efforts for improving the condition of environment are being made. The National Forest Policy has been reviewed, new law has also been enacted and some programmes have been initiated for the purpose.

1.2 Although the National Forest Policy of 1988 provides for protection of customary rights and concessions of tribals living in forest areas by associating these people closely in the protection, regeneration and development of forests and by providing them with employment through plantation and other forest activities, in some areas, these measures have had some adverse effect on the people who are living in and around forests areas. The environment, the law and the policies of the Government relating to environment are deeply linked with the life of the people. As such, the Committee, felt the need to examine the forest policy in relation to command over and access of tribal people to the forest resources.

#### *A. Organisational set up and Monitoring of Implementation of Forest Policy Measures*

1.3 The Ministry of Environment and Forests is the nodal agency for planning; promotion and co-ordination of environmental and forestry programmes in the country. The main activities of the Ministry are conservation and survey of flora, fauna, forests and wildlife, prevention and control of pollution, afforestation and regeneration of degraded areas and protection of environment. It is reported that all these activities are being looked into by 23 different Divisions and Directorates.

1.4 The Committee have been informed that the Forest Policy Division in the Ministry of Environment and Forest co-ordinates the overall policy measures relating to tribals and forests. Specific Programmes having a bearing on tribals are stated to be implemented/monitored by Programme Specific Divisions like Wildlife Division, Project Tiger Directorate and the National Afforestation and Eco-development Board.

1.5 The Committee desired to know whether the Ministry have devised any machinery to see that the guidelines issued in pursuance of National Forest Policy were being followed in letter and spirit. In response, the Ministry replied as under:—

“The guidelines are in the form of desirable initiatives expected to be taken up by the State Government in the larger interest of the tribal welfare. Although these guidelines are not mandatory in nature, the State Governments have been by and large, positive in their response. There is no mechanism with regard to strict implementation of the guidelines.”

1.6 The Committee were informed that in pursuance of the policy guidelines various schemes were under operation supported by State Governments, International Agencies, Autonomous District Councils, Non-Government Organisation (NGOs) and Union Government. It was also informed that the Union Government was also giving financial assistance for some schemes.

1.7 When asked how many of these NGOs and voluntary agencies were working in forest areas inhabited by the tribals, the Ministry replied as under:—

“Specific information regarding NGOs and Voluntary agencies working in forest areas inhabited by tribals is not readily available. However, most of the NGOs and Voluntary agencies are working mainly in and around forest areas which are also inhabited by majority of tribal people.”

1.8 To another query, whether there was a mechanism for evaluating their work, the Ministry stated:—

“there is no specific mechanism in the Ministry to separately evaluate their work amongst the tribal people. However, the activities under the scheme are verified by conducting field inspections and reporting the State Government agencies.”

1.9 The committee note that different programmes having a bearing on Tribals are implemented/monitored by as many 23 different Divisions set up under the Forest Policy Division in the Ministry of Environment and Forest. The Committee desire that an exclusive cell consisting of adequate staff and headed by an officer not below the rank of Deputy Secretary be constituted in the Forest Policy Division of the Ministry to oversee the various programmes aimed at tribal welfare undertaken by various divisions of the Ministry.

1.10 The Committee are surprised to note that there is no mechanism with the Union Government to see that guidelines issued to the State Governments with regard to strict implementation of the forest policy are followed in letter and spirit. In their opinion the issuance of guidelines is meaningless unless checks are devised for their thorough monitoring. The Committee therefore, recommend that instead of leaving things completely

at the mercy of the State Governments, the Union Government should evolve a uniform and unambiguous monitoring system to ensure that the States do not deviate from the guidelines issued to them in the larger interest of the poor tribals.

1.11 The Committee are unhappy to note that neither any specific information regarding NGOs and voluntary agencies working in forest areas inhabited by tribals is available with the Ministry nor any specific mechanism has been devised by the Ministry to separately evaluate their work amongst the tribal people. Taking into consideration the fact that the NGOs and other voluntary agencies play a pivotal role in ameliorating the socio-economic condition of the teeming tribals the Committee would like the Ministry of Environment and Forest to keep a detailed record of the NGOs and voluntary organisations working in the forest areas inhabited by tribals. The Committee also desire the Ministry to devise a thorough mechanism to evaluate the work of the NGOs so that proper guidance and help is rendered to them whenever and wherever necessary.

#### *B. Plan Allocation*

1.12 The Committee have informed that the population explosion of both human beings and animals has affected the tribal forest relationship. The land under the forest area has been reduced gradually affecting the lives of tribal people and now only with the co-operation of these people, the forest can be protected.

1.13 National Forest Policy, 1988 stipulates that one third of the area of the country should be under forest cover. In hilly areas, it is stated that forest cover should be two thirds of the area concerned.

1.14 On an enquiry as to how one third criteria was the Ministry of Environment and Forest stated that the goals set in the National Forest Policy, 1988 have been worked out on the considerations that forests are meeting the needs of the people in addition to playing a number of environmental and ecological functions such as, soil conservation, regulation of hydrological cycle, maintaining balance of gases in atmosphere, providing habitat to wildlife, regulation of micro-climate and acting as gene pool etc.

1.15 To achieve that much coverage, the Ministry have stated that Government of India is giving financial assistance to the following schemes:

- (i) Association of Scheduled Tribe and Rural Poor in Rehabilitation of Degraded Forest Area on Usufruct Sharing Basis
- (ii) Integrated Afforestation and Eco-development Project
- (iii) Area Oriented Fuelwood and Fodder Schemes
- (iv) Raising of Minor Forest Products including Medicinal Plants
- (v) Seed Development Scheme

- (vi) Grant-in-Aid Scheme—For NGO's and Voluntary Agencies
- (vii) Integrated Wasteland Development Project
- (viii) Desert Development Programme
- (ix) Drought Prone Area Programme
- (x) Modern Forest Fire Control Methods
- (xi) Arial Seeding

1.16 When the Committee enquired about the response of tribal people to these Schemes, the Ministry stated that those schemes which were being implemented to sustain and increase forest cover in the country were primarily labour intensive and had about 70-80 per cent wage component. As these schemes are mainly implemented in and around forest areas, the tribals living in these areas constitute a primary labour force in implementation of these schemes. These schemes are providing employment opportunities to the tribals and developing the resource base from which the tribals draw their sustenance.

1.17 During evidence when the Committee enquired about development of forest villages into revenue villages in States, the representative of the Ministry of Environment and Forests pointed out that in 1991-92 and in 1992-93, a sum of Rs. 110 lakhs and Rs. 296 lakhs were spent respectively for that purpose. But the amount at their disposal was very meagre and atleast about Rs. 50 crores was required for the developmental work. It was also pointed out that the Ministry had only 1 per cent share of total Plan Allocation of Union Government.

1.18 To a specific query as to what was the plan estimates for development of eco-system during the present Plan period, the representative of the Ministry replied:—

“The eco-development project has Rs. 10.20 crores in the Eighth Plan. We have prepared a very good scheme and it has very good response. When you create a good response and demand comes from various places, you do not have money. Then, it has backlash that we are making false promises. Those are long drawn up schemes but immediate benefit is not visible as in the construction of road, hospital or school. There is no big machinery or material in the forestry. We can generate rural employment, rural re-surgence of economic base, rural eco-system development, water conservation. We have taken up the issue with the Planning Commission. As I submitted to the Committee, if a strong recommendation could go from the Committee, something can happen.”

1.19 On being enquired how eco-system could integrate with the improvement of tribal life, the representative of the Ministry stated that there were two aspects of eco-development. First is that Tribal village inside a sanctuary was not viable and it should be brought out on the



periphery and the Tribals should be resettled on periphery village. For this purpose Rs. 50,000/- to Rs. 60,000/- was to be given to each family for such resettlement.

1.20 The second aspect was that since tribal people were prevented from moving about inside the sanctuaries and National Parks, Government services in the buffer or outside the National Parks were to be created for them. Welfare activities like drinking water, animal husbandary, hospital treatment, school etc. for these people were to be provided so that they could feel happier than what they were in the past and also could feel that those National Parks were beneficial to them. This also needed money.

1.21 The Committee were also informed that the problem in the tribal areas for non-developmental activities was due to paucity of fund with the State Governments.

1.22 The Committee note that to generate rural employment, rural resurgence of economic base, rural eco-system development, water conservation etc., the Ministry of Environment and Forests and the State Governments need adequate money. The Committee also note that Government services and other welfare activities in the buffer or outside the National Parks are to be created for the Tribal people in order to compensate the prevention of such people from moving about inside the sanctuaries and National Parks. But these developmental activities can not be undertaken due to paucity of funds. The Committee, therefore, desire the Union Government and the Planning Commission to suitably enhance the budgetary funds of the Ministry of Environment and Forests in the plan outlay so that India does not lag behind other countries in undertaking various eco-developmental projects. The Committee would also like to be apprised of the development made in this regard from time to time.

## CHAPTER II

### RIGHTS OF TRIBAL PEOPLE TO FOREST RESOURCES

#### *A. Symbiotic Relationship between the Tribals and the Forest*

The population of tribal people in the country is about 6.77 crores and it is informed that about 50% of them live in and around the forest. Some of these tribal people are occupying the forest land much before these areas were declared as forests or recognition of these area as forests. A large number of tribal people living within the forests derive their food from these very forests. Not only do they derive their food, honey, medicinal herbs, materials for building their houses, fuel for cooking and fodder for their cattle from the forests, they also earn their livelihood by collecting and selling about 35-40 minor forest produces. Hence the lives of tribal people are intertwined with the forest and that is why forests have become much more relevant to these people.

2.2 According to the 29th Report of the Commissioner for Scheduled Castes and Scheduled Tribes, the wrong entitlement over resources began during the British period and has continued even after independence in the name of development. As a result everywhere the life support system of the local community and the common man is being snatched away by the altruistic power of State Institutions. As such, the common people are engaged in a fierce struggle for their right of life and the State on the other hand are branding the user of these resources as illegal and driving them out taking undue advantage. The community which has been adversely affected by this system is forest dwellers i.e. tribal people who were occupying the forest land much before these forests were declared as reserved and now are being termed as intruders.

2.3 Asked to comment on the life support system being snatched away by State Institutions the Government submitted that the earlier forest policies of the country lacked an element of participatory involvement of the communities (Forest dwellers) in the management of the forests and this resulted in evolution of a custodial approach to forest management by the forest department. However, the approach of the new Forest Policy 1988 is to bring the people especially the direct users much closer to the forest in terms of management of the resources. According to their assessments participatory forest management is fast emerging as a sustainable and viable option for forest management in order to achieve reasonable amount of decentralisation in forest administration.

2.4 Shri S.R. Shankaran, former Secretary, Ministry of Rural Development was of the view that the rights of the tribals over the forest resources were being curtailed and their occupation of forest land was

being treated as encroachment. During evidence the non-official witness also stated that tribals were being displaced due to various reasons. He stressed that forests could not be protected against the tribals.

2.5 Shri B.D. Sharma, former Commissioner for Scheduled Castes and Scheduled Tribes during evidence apprised that Dhebar Commission of 1960 was the first to discuss the symbiotic relationship between the tribal and the forest after independence wherein it had been stressed that the tribals and the forest needed each other for their survival. However, the Government have been formulating policies without taking into consideration the need, interest, rights of the tribal people and no step has ever been taken to bring changes in the law or in the administrative set up accordingly. The Government have recognised agriculture as occupation, but the right to life of the primitive tribals i.e. hunting, collecting honey etc. has not yet been recognised or legally established. As a result, these tribals have become intruders and are being driven out from their habitat.

2.6 The non-official witness stressed that the Government should have a clear cut policy regarding the right to life and right to resources of these tribal people and accordingly should change the law. The symbiotic relationship mentioned in the policy should be translated into laws.

2.7 Asked whether this can be done within the existing laws the former Commissioner replied in the negative stating that the present laws had loopholes. He emphasized that whenever new policies were formulated there should also be a corresponding change in the laws.

2.8 The Committee note that Dhebar Commission in 1960 first recognised the symbiotic relationship between the tribals and the forest. The Commission had also stressed that the tribal people and forest needed each other for their survival. But the Committee are distressed to note that the Government have been formulating policies without taking into consideration the need, interest and rights of tribal people. They also note that no step has ever been taken to bring changes in the law or in the administrative set up accordingly. The Committee, therefore, recommend that whenever the Government contemplate formulation of new policies the need, interest and rights of tribal people over forest should be considered minutely. They also desire that with the formulation of new policies there should be a corresponding change in the laws in order to protect the right to life and right to resources of tribal people over forest.

2.9 The Committee observe that Government have recognised agriculture by tribals as occupation but have not recognised hunting, collecting honey or grazing animals by tribals as occupation. As the tribals are totally dependent on their primitive occupation, the Committee would urge the

Government to respect their way of life and recognise hunting, collecting honey and grazing animals as their occupation.

2.10 The Committee are unhappy to note that there are still primitive Tribes whose existence in the deep forests has not been taken into account by the States while reserving the forests. As a result they have been termed as encroachers and intruders. The Committee recommend that complete data about these primitive tribals/forest dwellers may be prepared in right earnest and their rights over the forest resources be restored.

2.11 In order to give participatory involvement to the Tribal Communities in the management of forests, the Committee recommend that steps should be taken to educate the Tribals living in the forest about their intricate relationship with forests and protection of these forests for their own interest. The Committee also desire that the tribals should be associated in the planning and administration of forest areas.

#### *B. Rights of Tribal People to Forest Resources*

2.12 The life of tribals living within and near forest revolve around forests. The National Forest Policy, 1988 stipulates that the rights and concessions enjoyed by the tribals living within and near forests should be fully protected and their domestic requirements of fuelwood, fodder, minor forest produce and construction timber should be the first charge on forest produce.

2.13 The Committee have been informed that the nature of rights and concession enjoyed by the tribals over forest resources are not uniform and vary from State to State. The reason behind such variations has been stated to be the flexibility allowed to the State Governments to necessary adjustments within the broader policy framework keeping in mind the sustained availability of forest produce, demands from other needy section of the society, revenue consideration etc.

2.14 In this connection Shri B.D. Sharma former Commissioner for SCs and STs stated in his evidence before the Committee that long time back a policy on Tendu leaves was declared in Madhya Pradesh that tribals would be the owner and not the collector of Tendu leaves. But till now, the tribals are still labourers and not owners. He further pointed out that the policy mentioned about giving rights to the tribals and this matter was being discussed since 1974. During Mrs. Indira Gandhi's regime, an agreement was also reached but no action had been taken thereon.

2.15 When asked how could the rights of the tribals over forest resources in one hand and protection of the forest on the other be reconcile the non-official witness stated:—

“The forest will be protected if the tribal know that this tree is his future. Today if he succeeds in cutting the tree, then how can we reconcile this. After all, tribal is interested not in land but in living. So long a tree stands there, that is his enemy. The only way he can

earn his living is to fell the tree. If you can assure him that forests become the source of livelihood to the people and they have a share in that, then they will protect it."

2.16 To substantiate his argument Shri Sharma cited the example of Bilaspur (M.P.) and Gadchirouli where Tendu, Chyawanprash and Aonla trees had become extinct due to non-recognition of the rights of tribal people over these trees.

2.17 When further asked how these were to be protected, the non-official witness replied that unless the society acknowledged the authority of the tribals over these trees, the spate of destruction would continue. The tribals in Bastar, Madhya Pradesh were already aware of the exploitation of Tendu trees by non-official and its effect on their livelihood for which they were up in arms against the administration. Shri Sharma summed up that the best solution to protect the forests was to confer upon the Tribals their rights.

2.18 The Committee note that the State Governments have been allowed flexibility in conferring the rights and concessions to tribals over forest resources. As a result of this the States are following rules and regulations suiting their own interest thereby causing dissensions amongst the tribals. The Committee, therefore, recommend the Central Government to ensure that any sort of flexibility allowed to State Governments in recognising the rights and concessions of tribals over forest resources does not become autocratic and cause dissonance among the tribal people.

2.19 The Committee are distressed to note that although a long time back a policy was declared for giving ownership rights of Tendu leaves to tribals in Madhya Pradesh, it has not been translated into practice till now. The Committee, therefore, recommend that instead of leaving things to pen and paper the Government should take immediate and concrete steps to see that the long pending policy of conferring the ownership rights of Tendu leaves to the tribals of Madhya Pradesh is implemented in letter and spirit. The Committee also desire the Central Government to motivate and persuade other States in conferring similar rights to the tribal people.

2.20 The Committee note with concern the wanton destruction of Tendu, Chyawanprash and Aonla trees in different parts of the country due to the ignorance of tribal people about their rights to forest resources as well as due to the undue advantage taken by the middlemen/contractors of such ignorance of the tribal people. The Committee, are of the opinion, that the best way to check the spate of destruction of the above mentioned trees is to acknowledge the authority of tribal people over these trees. They, therefore, recommend the Government to take suitable steps to start fresh plantation of these trees where these have been destroyed enmass with a view to compensating the past loss. The Committee also recommend that tribals should be conferred with the right of upkeep and protecting the plantation so as to prevent future destruction.

### *C. Remunerative Price for Minor Forest Produce*

2.21 The Committee informed that the term 'Minor Forest Produce' (MFP) covers all forest produces other than 'Major Products' which consist of timber, small wood and fuel wood, MFP specifically include grass, fruit, leaves, bark, roots, exudates, animal products, soil and minerals. In short, the term MFP covers all animal, vegetable and mineral products other than wood found mainly in forest regions collected therefrom.

2.22 When the Committee enquired whether any Governmental channel was available in tribal areas to enable the tribals to get remunerative prices by them, the Ministry of Environment and Forests stated as under:—

"In order to ensure that the tribals get remunerative prices for their MFP and other products, most of the States have made institutional arrangements such as Government Corporations, tribal cooperatives, etc., in the tribal areas. These institutions streamline collection, transportation and marketing of such produce. For instance, in Andhra Pradesh, the Girijan Cooperative Corporation has monopoly right over collection and marketing of minor forest produce. Important MFP items being collected there are Aonla fruits, chirconji, Kusum oil seeds, nux vomica, etc. In Maharashtra also, amongst the various agencies engaged in collection and marketing of MFP, Tribal Development Corporation\* is handling non-nationalised MFP. Similarly, in West Bengal also, Tribal Development Corporation organises collection of number of minor forest produce. In Rajasthan, minor forest produce collection monopoly has been given to Tribal Area Development Cooperative Federation. In Orissa, there is a standing machinery at the District level under the Chairmanship of the Collector which fixes remunerative prices for minor forest produce and other products sold by the tribals. Such prices are revised each season for each item. In Madhya Pradesh, commercially important produce like Tendu leaves, Sal Seeds, Harra and gums are collected through Government agency. Support price for Mahua flowers is fixed by the Government. Other MFP are sold by the tribals to the Forest Development Corporation which collects markets MFP. In Gujarat, the State Forest Development Corporation which collects and markets minor forest produces ensures that remunerative prices are paid to the primary minor forest produces collectors.

In order to ensure proper redistribution of economic resources and create economic support system for the Scheduled Tribes, the Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED) was established in 1987. The Corporations and Forest Corporations of majority of States having predominantly tribal population are its constituent members and TRIFED has established an elaborate national network for recruitment, processing and marketing of products of agro and forest origin of the tribal areas."

2.23 The Committee were further informed that some of the MFP items like Tendu, Sal Seed, Gum etc. had enormous revenue content as they were of high economic value. Their collection was over large tracts of area and in the absence of any controlling mechanism there was likely to be exploitation of the primary collectors by middlemen. Thus, it was stated that monopoly procurement of these MFPs by State Agencies was the only way to ensure remunerative prices to the primary collectors including tribals and to prevent their exploitation by middlemen.

2.24 When asked whether any royalty was collected from the tribals on MFP, the Ministry informed that State Governments had reported that no royalty was collected from the tribals on minor forest produce.

2.25 The Committee pointed out that while they examined TRIFED in 1992, the Ministry of Welfare had apprised that certain States like Bihar, Orissa and Madhya Pradesh had been imposing much higher royalty on minor forest produce. The incidence of royalty kept increasing irrespective of the marketing environments. As a result of imposition of royalty on minor forest produce, due shares of tribals were being taken away as reported in the 12th Report (Tenth Lok Sabha) of the Committee. In reply, the Ministry stated:—

“Tribals are permitted to collect minor forest produce for bonafide domestic consumption without levy of royalty. The intention behind this concession is primarily to help the tribals to sustain themselves because as it is well known, much of their domestic needs are met from forests. The tribals also sell some of the MFPs directly to purchasers without payment of royalty. The market demand for such items is generally limited and is of local nature. However, there was a number of items, which require well organised mechanism for their collection and marketing. Their value is also appreciable and is comparable to that of major forest produces in some States. These items are collected by the State Governments through authorised agencies like Corporations, Co-operatives etc. who pay wages to the primary collectors, mainly tribals, at rates determined by the Government. These agencies are required to pay royalty to the Government. The royalty rates are fixed by the State Governments by ascertaining the prevailing market prices as also remunerative wages to be paid to the primary collectors. As the market rates of MFP increase, the royalty rates are also raised simultaneously the rate of wages to be paid to the primary collectors are also raised, thereby benefitting the tribals.”

2.26 To a further query about the action taken on the recommendations contained in the Twelfth Report of the Committee pertaining to abolition of royalty on MFP, it was submitted that abolition of royalty on MFP being recovered by the State Governments from the authorised agencies would affect the forest revenue of the State considerably, as the revenue

component of MFP was quite considerable in some of the States. A final decision on abolition of royalty will ultimately rest with the State Government.

2.27 During evidence, Shri Shankaran former Secretary, Ministry of Rural Development was asked whether he was aware of any restriction that the tribals had to sell MFP collected by them compulsorily to the co-operatives. In reply he stated:

"It differs from State to State. In Andhra Pradesh, there is Girijan Co-operative Society. They have the monopoly for forest produce. The Forest Department gives it as lease to Girijan Co-operative Society. They have to pay royalty to the Forest Department. Now the tribals have to deliver it to the Girijan Co-operative Society. They have no right to sell out. The idea was private traders were exploiting the tribals. The Girijan Co-operative Society is supposed to support the tribals but this Co-operative Society can also become an exploiter."

2.28 The former Secretary, Ministry of Rural Development also added:—

"In Andhra Pradesh, it is implemented reasonably well but it had failed in Madhya Pradesh."

2.29 When further queried whether the tribals have option to sell the MFP outside the co-operatives if they get better price, Shri Shankaran replied:

"If there is a co-operative which is a welfare co-operative consisting of tribals, I would prefer them to become the bulk purchaser."

2.30 The Committee note that many States have made institutional arrangements through Government Corporations, Tribal Cooperatives etc. to ensure remunerative price for the MFP collected by tribals as well as to protect them against exploitation by middlemen.

These Corporations/Cooperatives can themselves become the exploiter of the tribals in as much as in some of the States, the Corporations/Cooperatives have done well while in others they have failed. The Committee, therefore, recommend that the Central Government should persuade the State Governments to establish Welfare Cooperative Societies consisting of only tribals alongwith the Government Corporations/Tribal Cooperatives so that remunerative price for MFP and protection against exploitation is doubly ensured to the tribals.

2.31 The Committee also desire that in case the tribals get better remunerative price for the MFP, they should be allowed to sell those to outside Agencies also under the advice and guidance of Welfare Cooperative Societies, NGOs and other voluntary organisations. This is with a view to ensuring that monopoly procurement of MFP by Government Corporations does not culminate in exploitation of poor tribals.



2.32 The Committee are dissatisfied to note that although they had recommended in their 12th Report (Tenth Lok Sabha) for abolition of royalty levied on MFP by some States, it has not been implemented as yet on the plea that such abolition would have an adverse effect on the revenue of the States. The Committee recommend that the Union Government should make all out efforts to persuade the States to abolish royalty imposed on MFP collected by the tribals. They desire that alternative arrangements should be made to compensate the loss of revenue incurred in this regard.

*D. Rights and concessions in regard to grazing*

2.33 The Committee have been informed that the rights and concessions, in regard to grazing are related to the carrying capacity of forests. It has also been stated that the tribals are enjoying different rights and concessions in different States with regard to grazing.

2.34 Asked why different States have framed different rules in regard to grazing, the Ministry of Environment and Forests replied that in Orissa, grazing fee is levied only in areas of regeneration and new plantation. Otherwise grazing is free in the remaining areas of reserve forests. It has further been explained that it was levied to regulate/control grazing in such areas to facilitate new regeneration and prevent damage to young seedlings. Grazing in such areas is not desirable and these areas are preferably to be fenced. Such plantation areas normally constitute a very small fraction of the actual forest areas and as such, restrictions imposed on grazing in such areas of small extent do not result in scarcity of fodder.

2.35 The Committee pointed out that no provision has been made regarding carrying capacity of the forests. It was also pointed out that the Working Group on Tribal Development during the VIII Plan period recommended that the rights of the tribals should be codified State-wise and that there should be no further infringement on these rights. In reply the representative of the Ministry stated that each State has given rights to tribals and State-wise details in this regard have already been submitted to the Committee. As regards the carrying capacity, the representative stated that the same has now been increased from 3 crores to 6.8 crores with a stipulation that whole plant may not be destroyed alongwith its root, rather its root be allowed to remain as it is.

2.36 The Committee note that different States have been following different rules and procedures with regard to rights and concessions allowed to tribals for grazing of their cattle. They also note that while imposing restrictions on grazing, carrying capacity of the forest and number of cattle head are taken into account. The Committee would, however, like the Union Government to ensure that carrying capacity of the forests is determined in a fair way to protect the rights and concessions enjoyed by tribals in grazing their cattle.

2.37 The Committee also recommend that with a view to ckecking fraudulent extraction of money from innocent tribals the Central Government should persuade that States to abolish the grazing fee or licence fee for a fixed number of cattle in the forest areas other than the regeneration or plantation areas. In the opinion of the Committee, most of the tribal people in an around the forest area can little afford to keep cattle in large number nor are they in a position to pay such fee.

*E. Rights and Concessions in National Park and Sanctuaries .*

2.38 The Committee have been informed that in 1960, there were 5 National Parks and 78 Sanctuaries covering approximately 18000 sq. Kms. of areas. Since then till the end of 1993, 70 National Parks and 343 Sanctuaries have been added making a total of 75 National Parks and 421 Sanctuaries covering approximately an area of 1,40,000 sq. Kms. It has also been stated that the rights and concessions of tribal people in case of National Parks and Sanctuaries have to be properly determined, settled and abridged as per the provisions of Land Acquisition Act before an area is finally notified as National Park or Sanctuary. It has been informed that in the Sanctuary, certain rights can be allowed to continue by the Collector in consultation with the Chief Wildlife Warden.

2.39 When enquired what were the criteria/provisions laid down in the Land Acquisition Act to declare an area as a National Park or Sanctuary and what exact/specific restrictions are made regarding the access of the tribal people to areas declared as National Park or Sanctuary, the Ministry of Environment and Forests stated:

“The National Parks and Sancturies are declared as per provisions of Chapter 4 of the Wild Life (Protection) Act, 1972. The State Governments have to appoint the Collector to enquire and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of a Sanctuary or a Park. After following the procedures laid down in Section 21 and 22, the Collector proceeds to acquire the rights as per Section 24 and 25 of the Act.

In the National Parks, no rights can exist. However, in Sanctuaries, the Collector in consultation with the Chief Wildlife Warden, may allow continuance of any rights of any person in or over any land within the limits of the Sanctuary. The Chief Wildlife Warden may also permit grazing in a Sanctuary keeping the interests of wildlife in view.”

By and large, the Wild Life (Protection) Act does not make any distinction between the tribal and non-tribal people in so far as continuance of the rights within the limits of the Sanctuary are concerned. However, the hunting rights conferred on the Scheduled Tribes of Nicobar Islands in the Union Territory of Andaman and Nicobar Islands vide their notification No. 40/97/F.No. G-635 Vol-

III dated 28.4.1967 is not affected as provided in section 65 of the Act.”

2.40 In this connection, Shri S.R. Shankaran, former Secretary, Ministry of Rural Development during evidence pointed out that Section 20 of the Indian Forest Act provided that before issuing any Notification all the tribal issues should be analysed and then only the Notification should be issued. But in reality, it is not being done. Shri Shankaran further stated that whenever a Sanctuary or a National Park was declared, the rights of tribals got extinguished and other development activities were not allowed resulting in harassment of tribal people. Due to declaration of Tiger Sanctuaries in India for example, 250 tribal villages are being relocated.

2.41 Shri B. D. Sharma, former Commissioner for Scheduled Castes and Scheduled Tribes also stated that when the Government intended to establish National Park a unilateral declaration was made and then they started administering the place without inviting objections. In this way, tribals are forced to move out of their habitat and there is no follow up about its impact on their economic conditions.

2.42 When queried, why requirements of Section 20 of the Indian Forest Act had not been complied with, the Ministry of Environment and Forests submitted that State Governments were bound to follow the procedure laid down under Section 20 of the Indian Forest Act, 1927 while declaring an area as reserved forest. The Section provides for detailed examination by the Forest Settlement Officer of claims preferred by people likely to be affected by reservation of forests before issue of Notification. It has also been stated that no case of violation of the above procedure has been reported to the Ministry of Environment and Forests.

2.43 When asked whether any protest/complaint was lodged or received by the Ministry of Environment and Forests from those tribal families who were shifted from those protected areas, it was replied in the negative.

2.44 To a question as to which are the forest areas that Government have identified or propose to identify as protected areas during the VIII Plan Period, the Ministry of Environment and Forests have stated that State Governments are the competent authority to constitute protected areas in their respective jurisdiction under the Wild Life Protection Act, 1972. No Plan target is fixed for constituting protected areas and decision to constitute a national park or sanctuary is taken by the State Government on case to case basis after due consideration of all related aspects.

2.45 Asked whether the reservation of forests for establishing sanctuaries and national parks have deprived tribals of their livelihood, the Ministry of Environment and Forests have stated that some restrictions have been imposed on collection of forest produce from sanctuaries and national parks but certain activities can be allowed if that is necessary for

improvement and better management of wild life. Protected areas are not worked in the similar manner like other reserved or protected forests. Otherwise, the concept of creation of protected areas would not have been there.

2.46 To a specific query the Committee have also been informed that the Ministry of Environment and Forests do not have any estimate of number of tribals affected by these measures of reservation of forests.

2.47 To a further query as to what steps have been taken to provide employment to such displaced tribals, it has been stated that as per the Wild Life (Protection) Act, where the right of the local people including tribals had not been settled already under the provisions of Indian Forests Act, 1927 or under Wild Life (Protection) Act prior to 1991 amendment, provisions do exist whereby the local people are allowed continuance of certain rights in the sanctuaries by the Collector as per Section 24 of the Wild Life (Protection) Act in consultation with the Chief Wild life Warden. It has further been stated that eco-development schemes have been launched around major protected areas to provide some alternatives and employment opportunities to the fringe dwellers including tribals of protected areas.

2.48 The Committee are distressed to note that although Section 20 of the Indian Forest Act provides that all the tribal issues should be analysed before issuing any notification to declare an area as a National Park or Sanctuary, in actual practice these aspects are not taken into consideration. The Committee, therefore, urge upon the Union Government to see that a team of senior officials of the Ministry should visit the areas to be declared as Sanctuary or National Park from time to time with a view to ensuring that all the tribal interests are fully taken care of.

2.49 The Committee note that the decision to constitute a National Park or Sanctuary is taken by the State Governments on case to case basis after due consideration of all related aspects. The Committee, however, desire the Union Government to evolve a monitoring system whereby they would have a say whenever the State Governments tend to overlook the tribal interests while declaring an area as a Sanctuary or National Park.

2.50 The Committee are surprised to note that the Ministry do not have figures of the number of tribals affected by these measures of reservation of forests. The Committee, therefore, recommend that the Ministry should maintain a record of tribals who are forced to move out of their habitat to give space for a sanctuary or National Park, carry out a meticulous follow up action to observe its impact on their economic condition and to take suitable remedial measures thereafter.

2.51 The Committee find it incredulous that no case of violation of the procedure under Section 20 of the Indian Forest Act by the State Governments has been reported to the Ministry. It is also equally unbelievable that no tribal family lodged any complaint or protested

against their shifting from protected areas as nobody keeps quiet when he is driven out of his home. In the opinion of the Committee it is either due to total ignorance and simplicity of the tribals to raise their voice against injustice or the State Governments are taking undue advantage of such simplicity. The Committee, therefore, recommend the Union Government to prevail upon the State Governments to take in to confidence the voluntary organisations and social workers engaged in the tribal welfare in the forest areas. These Organisations in turn can not only report to the Ministry for violation of the procedure under Section 20 by any State but also educate the tribals to appeal against injustice done to them.

## CHAPTER III

### TRIBAL FOREST INTERFACE

#### *A. Involvement of Tribal People in Afforestation and Protection Programme on Usufruct Sharing basis*

The National Forest Policy, 1988 envisages that the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits such as fuelwood, fodder and small timber etc. Accordingly, guidelines were issued in June, 1990 to State Governments for involvement of people especially tribals inhabiting forests areas and voluntary organisations in protection, afforestation on usufruct sharing basis to improve their living standards.

3.2 The Committee were informed that a 100 per cent centrally sponsored scheme entitled "Association of Scheduled Tribes and Rural Poor" in regeneration of degraded forests on usufruct sharing basis were being implemented since 1992-93 with the following objectives:

- (i) to involve local Scheduled Tribes in protection and development of degraded forests;
- (ii) to provide gainful employment and a sustainable economic base to Scheduled Tribes in the vicinity of their habitation; and
- (iii) to improve forest based bio-mass resource base in degraded forest lands and to manage it on a sustained basis for the domestic needs of the identified communities.

3.3 The Committee were further informed that the scheme was being implemented through the State Forest Departments on the basis of projects formulated for the purpose. Apart from the wages for the work done by these people, they are entitled to usufruct rights and sharing of final harvest. They are also entitled to collect minor forest produce, dead and fallen wood, branch cutting, fodder, total produce received from mechanical thinning and tending operations. Out of the harvest from silvicultural thinnings and main fellings, the beneficiaries are entitled to the produce for their bonafide domestic needs. The surplus are sold by the Forest Departments of which 75% of the net receipts from silvicultural thinnings and 50% from main fellings are distributed to the beneficiaries.

3.4 When asked to State the physical and financial achievements of the Scheme, the Ministry stated as under:

"The originally proposed scheme was for Rs. 320 crores covering 4 lakh hectares of area and benefitting 2 lakh tribal families. But in view of non-availability of sufficient financial resources for

implementation of the scheme a very modest outlay of Rs. 9.60 crore was proposed for eight years *i.e.* from 1992-93 to 1999-2000 the total area envisaged for regeneration during VIII Plan of 12,000 hectares benefitting 6,000 families.”

3.5 During evidence when the Committee desired to know the total outlay for a certain State in regard to such scheme, the representative of the Ministry of Environment and forests replied:

“We have not fixed outlay for the states. We are giving as per the approved schemes....”

3.6 It has also been stated that 14 States have issued orders in pursuance of the Circular of June, 1990 for peoples' participation in regeneration of degraded forests lands and these States are entitled to be benefitted. The scheme is presently being implemented in Madhya Pradesh, Maharashtra, Bihar, Rajasthan, Andhra Pradesh, Orissa, Gujarat and West Bengal.

3.7 On a query as to what monitoring mechanism has been evolved by the Ministry in this regard, it was stated that the scheme was programmed to be implemented under the arrangement between the village community/ the beneficiaries and the Forest Department for supervision of work schedule, protection and maintenance of the plantations, natural regeneration etc. It has further been stated that since the scheme is being implemented on a very modest scale and independent mechanism has not been envisaged at present. However, it is contemplated to monitor implementation of policy guidelines issued to various States through the normal channel of Regional Offices.

3.8 During evidence the Committee were further informed that the programme for protection of forest which enabled people living in the forest area to have 30 to 50 per cent share in forest produce had become successful because people have written to the Ministry of Environment and Forests for tree plantation in their regions. But unfortunately, only one per cent of Budget allocation is meant for the purpose. As a result, only limited work is being done. Needless to mention if there is an increase in Budget allocation, the forest wealth would also increase thereby benefitting the tribals.

3.9 To a specific query it was replied that the forest department did not continue to look after the plantation after 5 years, because the policy of the Government had changed according to which the village community who had 50 per cent share in the plantation had to protect these trees themselves.

3.10 When the Committee desired to know the details of allotment of 50 per cent share to the tribals in the plantation, the representative of the Ministry of Environment and Forests stated that this matter had been left to the State Governments to decide. Village Development Committees comprising women and youth have been constituted whose responsibility is to protect these tree plantation and when these trees get matured, they are entitled to 30 to 50 per cent of net revenue.

3.11 On being asked the recruitment policy in regard to protection of forest and whether tribals living in and around forest are being encouraged to join the Forestry Services, the Secretary, Ministry of Environment and Forests replied:—

“.....The question has been raised about the induction of tribals in the forestry services. Actually, as you know, the recruitment at the levels of forest guards is really the cutting edge level which is in the hands of the State Governments. The Ministry even earlier also, repeatedly requested the State Governments to give preference to tribals in the recruitment especially at the level of forest guards and to take advantage of their knowledge while also improving their general standard of living and so on. There are some States where they have definitely issued policy guidelines and this is happening. But they are not uniform. We are trying to make them uniform. I believe that this kind of effort of our should be supplemented by Ministries like the Ministry of Welfare and I am sure if this Committee feels strongly about this recommendation, it would carry much weight.”

3.12 When the Committee desired to know the view of the Ministry of Environment and Forests in regard to involvement of industry and big houses in regeneration of forests and development of wasteland, it was replied that it would curtail the benefits derived by the tribals from the forest by way of rights and concessions. The industries/big houses would restrict their movement and collection of unfruct in their desire to ensure optimum productivity. However, the tribals and others living near such areas would be benefited by increased employment opportunities through plantation activities provided by industries/big houses.

3.13 During evidence, the Secretary, Ministry of Environment and Forests also stated:—

“As far as the industrial plantations are concerned, the idea is that whatever we do for commercial forestry, it has to be done without any prejudice to the rights of local communities, particularly the tribals. After all, we do consume paper and wood and it has to come, large quantity of it, primarily from forestry outside forests. It is happening in a very big way, but there may be cases where, without prejudice to the interests of the communities, it may be possible also to have some plantations for the help of industries which in turn, will also confer other benefits on the villages in



forms of employment. But the thinking is only embryonic we have done nothing straightaway in terms of giving orders. We are consulting people. But as it is, the policy is that it should be done one forestry line."

3.14 During another evidence, Shri B.D. Sharma, former Commissioner for Scheduled Castes and Scheduled Tribes stated in the regard that wasteland development at the national level was a conspiracy against the poor. Whenever land is given for plantation by industrialists or for that matter the Government itself take in lieu of natural forest has resulted in no shady tree during summer and no fodder for animals. It is the same with captive plantation. The non-official witness further added that the models for wasteland use were all beyond the reach of poor people. These models are against nature and man. The fight against nature is that in place of numerous trees which grow naturally in a certain place, only one kind of tree is being grown. According to Shri B.D. Sharma, in wasteland development projects investment is made for maximum protection. There is no need for money for wasteland development but there is a need for a will. There is need for initial capital so that the tribal or local people could help themselves. Thereafter they can look after themselves.

3.15 To highlight this, the non-official witness also narrated how in a village of Andhra Pradesh with an investment of Rs. 50 per acre mango tree plantation was taken up on an experimental basis and which had become successful in other villages too. Shri Sharma also stated that these are the cases of very successful implementation with Government investment. He further added that captive plantation should be taken over by the people.

3.16 To a question whether it would be possible to regenerate the forests to larger extent with the help from the tribals or some of their organisations in the absence of money and technology, or without the help of big industrial Houses. Shri S.R. Shankaran, former Secretary, Ministry of Rural Development during his evidence before the Committee stated:—

"After all, it is the tribals or the poor people who are going to work on the land. It is not the industrialists who till the land. The poor people lack the capital or investment. The investment has to be made available to tribals. They can raise it with their labour. I say that the industrialists who seek this raw material should advance a loan and it should be utilised by these people. From the end product sale they can recover the loan."

3.17 Asked whether it will not affect their (industries) economy, the non-official witness replied:—

"The profits will be reduced. I am only looking at the interests of the tribals."

3.18 On a further query as to whether it would be right to advance loan to the tribals and how to motivate them, Shri Shankaran stated:

“Exactly, the loan is meant for utilising the forest loan. The tribals do not have the money to buy the raw material. I say that if the loan is given to the tribals, they can get benefit out of the loan.”

3.19 The Committee appreciate that a 100 per cent centrally sponsored scheme entitled “Association of Scheduled Tribes and Rural poor” in regeneration of degraded forests on usufruct sharing basis to improve the living standards of the tribal people is being implemented since 1992-93. But they are disappointed to note that although originally Rs. 320 crores covering 4 lakh hectares of area and benefiting 2 lakh tribal families was envisaged for the aforesaid scheme during the 8 years from 1992-93 to 1999-2000, only Rs. 9.60 crores for regeneration of 12,000 hectares of area benefitting 6,000 families only has been proposed for the same period due to the non-availability of sufficient financial resources. Taking into consideration the popularity of the scheme, as has been evident from the fact that people are writing to the Ministry of Environment and Forests for tree plantation, the Committee, desire the Central Government to substantially enhance the funds during the VIII Plan period so that the aforesaid scheme can be implemented for the economic betterment for more tribal people.

3.20 The Committee note that 14 States have issued orders in pursuance of the circular of June, 1990 for peoples participation in regeneration of degraded forest land and 8 States have already implemented the scheme. The committee would like the Union Government to encourage other State to send proposals and implement the Scheme as early as possible for the benefit to tribal people. The Committee would also like the State to educate the tribals, through organising camps etc., regarding the importance of regeneration and protection of forest for their own good.

3.21 The Committee note that the forest departments do not continue to look after the plantation after 5 years and leave it in the hands of the village community to protect these trees themselves. The Committee, recommend that the Forest Departments, instead of leaving things in the hands of village communities, should continue looking after the plantations for two/three years more in addition to the mandatory five years so that these are better protected from unscrupulous damage.

3.22 The Committee note that the Ministry, in the past, have repeatedly requested the State Governments to induct tribals in the forestry services especially at the level of forest guards for protection of plantations and other forest produces. The Committee also note that the guidelines issued in this regard are not uniform for which while some States are following it some are not. The Committee, therefore, recommend that the Ministry of Environment and Forests, in consultation with the Ministry of Welfare, should make these guidelines uniform so that the states/UTs recruit Tribals as Forest guards to take advantage of their unquestionable knowledge about

the intricacies of forests and also to improve their general standard of living.

3.23 The Committee note that the Secretary, Ministry of Environment and Forests, the former Secretary, Ministry of Rural Development and the former Commissioner for SCs and STs have reservations in indulging industries and big Houses in the regeneration of forests and development of wasteland which might prove detrimental to the interest of tribal lives. The Committee agree with these views and would like the Ministry of Environment and Forests to ensure that if the industries/big houses are permitted to help in regeneration of forests and development of wasteland, that should be restricted to providing loans to the poor tribals for plantation activities and utilisation of forest land.

#### *B. Integrated Area Development Programme*

3.24 The Committee have been informed that Integrated Area Development Programme has been launched to meet the needs of tribal economy in and around forest areas including the provision of alternative sources of domestic energy on a subsidised basis to reduce pressure on the existing forest areas. It has also been stated that various schemes launched in different States under the Integrated Area Development Programme are sponsored either by the Union or the State Governments or by both. These programmes are also aided by the World Bank.

3.25 During evidence when the Committee wanted to know the procedure for implementation of the World Food Programme the representative of the Ministry replied:—

“World Food Programme is a United Nations project whose work is to take food to those areas which are deficit in foodgrains partly in kind in the shape of foodgrains.”

3.26 When the Committee pointed out that in Uttar Pradesh, employees who were not even covered by the specific areas earmarked for WFP were cornering the benefits meant for those areas and that many such complaints were also being received, the representative explained:—

“The World Food Programme is implemented by various Departments of the Government such as the Irrigation Department, Public Works Department and so on. The Department of Forests is also one of the Departments which implements this project. If there are any specific complaints we will certainly look into them and take immediate action.”

3.27 To a query whether IRDP included non-conventional energy, the representative of the Ministry of Environment & Forests stated:—

“Non-conventional energy like solar energy are being attended to through IRDP. We are encouraging new types of stoves by which one can save 35 per cent of the fuelwood in cooking. We are providing assistance to the Gobar Gas plants. We are in constant touch with the

IRD. In the projects, there is a provision for providing smokeless chullahs so that less wood is used."

3.28 The Committee have also been informed that for development of alternative sources of domestic energy to reduce pressure on the existing forests, the Ministry of Environment & Forests vide Notification No. 1-6/90-MMIV dated 28.3.90 constituted a Policy Advisory Group on fuelwood conservation to advise the National Wasteland Development Board about measures to conserve fuelwood in the country. The recommendations of the Policy Advisory Group which were circulated to States/Union Territories in December, 1990 were as under:—

(i) Ministry of Environment & Forests/State Governments. should popularise the fuel efficient chullah to bring down fuel consumption and people should be trained for its local manufacture and maintenance.

(ii) Gobar Gas plants should be promoted with more vigour.

(iii) The Programme of improved crematoria on the line of Gujarat should be taken up and popularised.

(iv) In order to reduce consumption of fuel-wood in hilly areas where water boils at less than 100°C supply of pressure cookers on subsidised rates would considerably reduce fuel consumption.

(v) Intensive effort should be made to popularise solar cookers and solar heaters in the areas of plenty of sun-shine.

(vi) Possibility of generating power from wind mills and its use for cooking in dhabas and community kitchen should receive attention.

3.29 It has been reported that Daman and Diu, Dadra & Nagar Haveli, Himachal Pradesh, Sikkim, Nagaland, Punjab, Andhra Pradesh, Mizoram, Rajasthan and Goa are taking necessary follow up action for implementation of the recommendations of the Policy Advisory Group.

3.30 The Committee appreciate to note that several States have been implementing various schemes under the Integrated Areas Development Programme sponsored by the Union and State Governments as well as by the World Bank. The Committee, however, note with concern that sometimes the programmes meant for some specific areas and people are being diverted to somewhere else as has happened in Uttar Pradesh. The Committee, therefore, desire the Ministry to examine the implementation of World Food and other like programmes and take suitable measures thereafter in the forest areas of U.P. and other States where such malpractice has been reported. They would also like the Ministry to encourage other States in launching Integrated Area Development Programmes where these programmes have not yet been taken up.

3.31 The Committee note that the Ministry are encouraging new types of stoves by which 35 per cent fuelwood can be saved while cooking. They also note that the Ministry are providing assistance to the Gobar Gas Plants.

The Committee feel that it is a step in right direction and would like the Ministry to continue these measures in future also with a view to reducing the pressure on the existing forest areas.

3.32 The Committee note that the Policy Advisory Group constituted by the Ministry has given some good recommendations for conserving fuelwood in the country. They also note that some States/UTs are taking necessary follow-up action for implementation of the recommendations of the Policy Advisory Group. The Committee recommend that besides encouraging other States to follow suit the Ministry should also periodically monitor the implementation of the recommendations of the Policy Advisory Group in the States/UTs.

### *C. Shifting Cultivation*

3.33 The Committee have been informed that Shifting Cultivation is still practised by some tribal groups and it is affecting adversely not only the environment but also the development and regeneration of forests. With a view to discouraging shifting cultivation, the National Forest Policy, therefore, envisages that alternative avenues of income, suitably harmonised with the right land use practices should be devised.

3.34 Asked as to what detailed alternative avenues of income for tribals have been devised in various States/UTs to discourage tribals from shifting cultivation, the Ministry of Environment and Forests have stated as under:—

“In Andhra Pradesh, a scheme for re-clothing of degraded forest areas including Podu cultivation areas is formulated with an outlay of Rs. 25 lakh during 1992-93. The money is utilised to engage tribals in remunerative works under this scheme so that their services are utilised more profitably and thereby wean them away from Podu cultivation practices.

In Arunachal Pradesh, the Forest Department has launched a subsidy scheme of plantation in the State under the title ‘Apna Van’ to involve the local people for raising plantation in abandoned jhum lands, community lands, private lands etc. to increase the forest cover in the State to preserve the environment. Under this scheme ownership of trees so raised will vest with the beneficiary. The scheme promises to be attractive to the local people and it is anticipated that under the scheme local people will be benefited and large areas of degraded jhum lands will be afforested in the future.

In Karnataka, enough employment is stated to be available for tribals in forest development/harvest programmes and shifting cultivation is completely stopped in that State.

In Mizoram, under a new land use policy selected beneficiaries have been given an option to go for various occupations viz., poultry, piggyery, cattle rearing, tin-smithy, agroforestry and other petty trades.

In Bihar, shifting cultivation is practised only in Dumka Forest Division. To reduce dependence in shifting cultivation by the tribal people district administration and Forest Department have taken up schemes of providing of pucca houses at the foothill to Paharias engaged in shifting cultivation, provision of home-stead land for cultivation of agricultural crops by these people, distribution of goats, pigs and poultry to raise their economic condition, distribution of improved chullhas and labour oriented work programme to provide them employment.

Due to these programmes, forest areas under shifting cultivation has gradually diminished from 234.00 h.a. in 1985 to 42 h.a. during 1992.

In Sikkim, tribal villagers are supplied with revenue earning species such as broom grass, bamboo, ficus etc. to be planted in their farmlands. Besides areas for cardamom cultivation are also demarcated in revenue lands adjoining forest areas.

In Orissa, tribals are reported to be employed by Departments such as Forests, Horticulture, Agriculture and Panchayat Raj for carrying out land based development programmes.

In Maharashtra, the area under shifting cultivation is around 500 h.a. in Gadchiroli district; about 125 tribal families in about 13 villages practise shifting cultivation. Though the Department had made attempts to dissuade these tribals from practising shifting cultivation by providing them gainful employment, the practice of shifting cultivation has not fully stopped.

In Tamil Nadu, under the tribal area sub-plan, a scheme known as sandal village forests was started during VII Five Year Plan. The sandal bearing areas have been identified and tribal people are engaged as sandal tending and protection watchers which helps to provide employment almost throughout the year.

In Tripura, Tripura Tribal Avas Autonomous District Council provides alternative avenues of income through a trade and professional occupations like running shops in the village market, running public transport, running rice mills and mechanical workshops.

In Assam, comprehensive project involving planting of tree crops, bamboo, medicinal plants, fodders, sericulture host plants, raising of nursery for forest species has been formulated.

In Meghalaya, about 52,000 families are stated to be dependant on Jhuming for cultivation. Government efforts at containing and checking Jhum Cultivation included providing facilities to promote permanent agriculture and alternative economic activities. During VII Plan about 2586 tribal families have been weaned away from the practice of shifting cultivation under programmes which include

activities like Terracing, Reclamation works, Irrigation, Drinking water facilities, link roads and Horticulture.

In Madhya Pradesh, shifting cultivation is practised by about 2500 tribal families. These tribals are engaged in forestry activities and they collect minor forest products like Bidi leaves, myrobalans, honey, chirongi, sal seeds etc."

3.35 When the Committee desired to know the steps taken by the States/UTs. other than those mentioned above, to discourage shifting cultivation it was stated that the problem of shifting cultivation was not found in the States of Uttar Pradesh, Rajasthan, West Bengal, Gujarat, Kerala, Himachal Pradesh, Jammu and Kashmir and Dadra and Nagar Haveli.

3.36 The Committee further desired to know whether after introducing alternative avenues of income, the States have been able to discourage the tribals from shifting cultivation. In reply it was stated that the practice of shifting cultivation was part of the ethos of the tribal communities. Weaning these communities away completely from the practice of shifting cultivation was difficult. However, in the States where shifting cultivation was in a limited scale, weaning the tribals away from the practice had been generally successful. But in the North Eastern States where extensive shifting cultivation was practised, weaning away completely from the age-old practice would take considerable time. It was further stated that the Ministry were, however, optimistic that with more and more alternative income generating avenues being available, the rate of shifting cultivation would come down in these areas.

3.37 In this connection, Shri B.D. Sharma, non-official witness during evidence stated that the hurdle in weaning away the tribals from the practice of shifting cultivation is that it is not possible to change the life style of these people suddenly by settling them in one place and the other is that there is no sufficient land for agriculture purpose. The non-official witness further stated that many a times, land allotted to them was not suitable and did not yield much for which they preferred to go back to their earlier practice. He, therefore, emphasized that the economy of these tribals could be improved if the successful experiment of tree culture carried out in Himachal Pradesh is emulated in Bastar, North East and in other States.

3.38 When the Committee pointed out that the jhoom cultivation was not desirable from environmental point of view whereas from the tribal's point of view it was a mean of their livelihood and whether there was an alternative to jhoom cultivation, Shri S.R. Shankaran, former Secretary, Ministry of Rural Development stated:—

"By itself, in any cultivation, the soil nutrient is going to be taken away from the soil. To what extent you replace it is the question. If you replace it, there is no question of depletion. When the jhoom cycle is reasonable, there is adequate time for natural regeneration of

the nutrient replacement. This can happen even in other method of cultivation by itself. I would not call it environment friendly. I will look at it from the point of view of a tribal himself. To what extent, is he able to get adequate productivity to sustain himself and his family? Many of the tribals told me that now they get much less from jhoom. I do not think that the problem is not environmental but it is a human problem."

3.39 Asked whether jhoom cultivation should be done away with, the non-official witness stated:—

"My own submission is that we should not do that. In my own State, that is, Andhra Pradesh, Hundreds of persons are doing this. If it is stopped by the Forest Department where do they cultivate. How do they survive? This jhoom cultivation should never be done away with."

3.40 He added that jhoom cultivation is one of the well accepted forms of cultivation in the whole of North-East India. Income from jhoom cultivation constitute 90 per cent in Nagaland, 50-60 per cent in Meghalaya and 30 per cent in Tripura. It has further been added that the jhoom cycle has now become smaller whereas population has increased resulting in the decrease of production.

3.41 The Committee note that the practice of shifting cultivation is a part of the ethos of the tribal communities for which weaning the tribals away completely from this practice is a herculian task. The Committee, however, appreciate the efforts made by several States in devising alternative avenues of income to discourage shifting cultivation among the tribals. The Committee would like the Ministry to encourage the State Governments for devising more and more alternative income generating avenues to curtail the rate of shifting cultivation amongst the tribals.

3.42 The Committee also note that land allotted to tribals is not suitable and not yield much for which the tribals prefer to go back to shifting cultivation. The Committee, therefore, recommend that utmost care should be taken to ensure that land allotted to tribals, for discouraging them from shifting cultivation, is fertile.

3.43 The Committee also recommend that in North-Eastern States where the Tribal sentiment is deeply attached with shifting cultivation, steps should be taken to experiment with tree culture as has been done in Himachal Pradesh to dissuade the Tribals from shifting cultivation.

3.44 The Committee note that jhoom cultivation is injurious to environment but harmonious to tribal livelihood. The Committee also note that in North-Eastern States jhoom cultivation constitute 30 to 90 per cent income for the tribals. The Committee would, therefore, like the Ministry of Environment and Forests to study carefully the *pros and cons* of jhoom cultivation before deciding to do away with the same completely.



#### *D. Family Oriented Schemes*

3.45 The Committee have been informed that a scheme entitled 'Beneficiary Oriented Scheme for Tribal Development' was launched during the year 1989-90 as a Centrally sponsored scheme under which 100% assistance is provided to States/UTs for creation of infrastructure of families shifted from core area of Project Tiger areas, National Parks etc. and relocated outside. Infrastructure created at the new site comprises development of land for cultivation, construction of houses, approach road, drinking water facilities, fuelwood pot and grazing grounds etc.

3.46 It has been stated that on an average the assistance ranges between Rs. 45,000/- to Rs. 50,000/- per family and during the years 1989-90 to 1991-92, a sum of Rs. 138.79 lakhs were provided to 7 States as Central assistance for relocating 23 villages with 1233 tribal families outside the wildlife protected areas.

3.47 The Committee have also been informed that the above mentioned scheme is highly site specific and the present approved permissible expenditure is being considered inadequate on the representations of various State Governments for an increase in the expenditure that matter is being examined by a Task Force. The recommendation of the Task Force for raising the admissibility limit per family to approximately Rs. 1.00 lakh is under consideration.

3.48 Asked whether any representative of the Union Government ever visited the site to verify whether the assistance granted to State Governments have actually been incurred and tribal people are enjoying the benefit, the Ministry of Environment and Forests stated that the representative of the Union Government. did visit one of the sites and found the scheme being implemented as per the provisions. It has also been stated that the Government propose to monitor the scheme by field visits to other sites/areas also.

3.49 The Committee note that the approved permissible expenditure per family under the 'Beneficiary Oriented Schemes for Tribal Development' is inadequate. They also note that the Task Force has recommended approximately Rs. 1.00 lakh per family instated of the existing Rs. 45,000/- to Rs. 50,000/- per family under the aforesaid scheme. This recommendation is at present under consideration. The Committee would like to be apprised of the position as soon as a decision is taken to implement the recommendation of the Task Force.

3.50 The Committee note that the Central Government propose to monitor the Scheme by conducting field visits to see that it is being implemented in letter and spirit. The Committee recommend that the Union Government should start monitoring the scheme by conducting regular and periodical field visits to each of the sites without further loss of time.

*.. Compensation to Tribals for loss of life and property*

3.51 The Committee have been informed that loss of life and property of tribal people due to predation/depredation of wild animals was not adequately compensated by the State Governments and different States were following different norms for compensating such losses. The Committee have also been informed that to safeguard the interest of inhabitants in and around forests as well as wild fauna, Union Government have issued guidelines for payment of adequate compensation commensurating with the amount required to settle the dependants of a deceased earning member of the family. It has further been stated that the loss of property including livestock is also required to be compensated fully and the following guidelines have been issued by Government in this regard for perusal of State Governments:—

1. Death or permanent incapacitation—  
Minimum of Rs. 20,000/- part amount of the compensation should be paid through long deposits.
  2. Grievous Injury—one third of 1 above.
  3. Minor Injury—Cost of treatment.
  4. Loss of cattle—Cost of treatment.
  5. Damage to house or crops or any other property—
- As per assessment of damage, compensation should be revised subsequently to bring it on par with the amount admissible to riot victims. The quantum of compensation may be reviewed periodically with a view to bringing it on par with any better norm.

3.52 However, the actual compensation being paid varies from State to State. In Arunachal Pradesh, Kerala, Madhya Pradesh, Meghalaya and Uttar Pradesh, Compensation for loss of human life was stated to be paid at the rate of Rs. 10,000/- whereas in West Bengal the rate of compensation for loss of life by wild animals is Rs. 7,500/- only and in Tamil Nadu, it does not exceed Rs. 5000/-.

3.53 The rate of compensation for loss of limbs/permanent incapacitation was stated to be Rs. 5000/- in the States of Arunachal Pradesh, Kerala, Gujarat, Madhya Pradesh, Rs. 3000/- in Meghalaya, Rs. 3500/- in Tamil Nadu and Rs. 6650/- in Maharashtra. In Andhra Pradesh the compensation rate for human injury varies from Rs. 200/- to

3500/- depending on the gravity of the case while in West Bengal the compensation rate is Rs. 300/- plus free medical treatment. But there is no such provision in Bihar and Rajasthan.

3.54 The rate of compensation fixed for loss of animals/crops also varies from State to State ranging from Rs. 100/- to Rs. 3500/- depending on the loss suffered.

3.55 The Committee were informed in reply to a specified query that State Governments of Arunachal Pradesh, Assam, Himachal Pradesh, Kerala, Madhya Pradesh, Meghalaya, Orissa, Sikkim, Tamil Nadu, U.P. and West Bengal have been paying compensation for loss of human life at lower rates than recommended to them *i.e.* Rs. 20,000/-.

3.56 When further asked about the action taken/proposed to be taken against the States who have not been paying minimum amount of compensation prescribed by Government, the Ministry have stated that the guidelines issued were advisory and it was upto the State Governments to accept the recommendation made by the Ministry. However, Chief Wild Life Wardens were requested to determine the rates of compensation on some rationale basis. The Committee have also been informed that the Ministry were critically examining the orders of various State Governments providing for the relief to the victims of wild life depreciation.

3.57 When the Committee enquired as to way no uniform list was compiled, the representative of the Ministry replied:—

“In 1990, we had circulated it. At that point of time, Bihar's figures was the highest *viz.* Rs. 20,000/- and Orissa's figure was the lowest *viz.* Rs. 2000/- only. We have asked all the States to revise it and at least make it to minimum of Rs. 20,000/- for human life lost and one third of that for minor injury and treatment of cattle and so on. Many States have their own evaluation. So basically, it will go from the State budget. The State Government have to take a decision.

3.58 The Committee note that the Ministry of Environment and Forests have issued detailed and uniform guidelines to the States/Union Territories to give compensation to the tribals and other people living in and around forest areas in case of death or permanent incapacitation, grievous and minor injuries, loss of cattle and damage to house or crop or any other property. But the Committee are distressed to note that most of the States are paying much less compensatory amount than the minimum prescribed. It is due to the fact that the guidelines issued to them are only advisory. The Committee, therefore, recommend the Union Government to issue mandatory guidelines to the States/Union Territories so that at least the minimum amount of compensation as prescribed for loss of life and property is rendered to the tribal people. The Committee also desire the Union Government to evolve a monitoring system to oversee the meticulous implementation of these guidelines by the States/Union Territories.

**3.59** The Committee would like the amount of compensation to be reviewed by the Central Government at least once in five years commensurating with the cost of living.

**3.60** The Committee also recommend that adequate provisions be made in the Budget grants of the Union as well as the State Governments to meet emergency payment of compensation for loss of life and property.

NEW DELHI;  
20 April, 1995  

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30 Chaitra, 1917 (*Saka*)

PARAS RAM BHARDWAJ,  
Chairman,  
Committee on the Welfare of  
Scheduled Castes and  
Scheduled Tribes.

## APPENDIX

(Vide Para 4 of Introduction)

### *Summary of Conclusions/Recommendations contained in the Report*

Sl. No.	Para No.	Conclusion/Recommendation
1.	1.9	The Committee note that different programmes having a bearing on tribals are implemented/monitored by as many 23 different divisions set up of under the Forest Policy Division in the Ministry of Environment and Forests. The Committee, desire that an exclusive cell consisting of adequate staff and headed by an officer not below the rank of Deputy Secretary be constituted in the Forest Policy Division of the Ministry to oversee the various programmes aimed at tribal welfare undertaken by various divisions of the Ministry.
2.	1.10	The Committee are surprised to note that there is no mechanism with the Union Government to see that guidelines issued to the State Governments with regard to strict implementation of the forest policy are followed in letter and spirit. In their opinion were issuance of guidelines is meaningless unless checks are devised for their thorough monitoring the Committee therefore, recommend that instead of leaving things completely at the mercy of the State Governments, the Union Government should evolve a uniform and unambiguous monitoring system to ensure that the States do not deviate from the guidelines issued to them in the larger interest of the poor tribals.
3.	1.11	The Committee are unhappy to note that neither any specific information regarding NGOs and voluntary agencies working in

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forest areas inhabited by tribals is available with the Ministry nor any specific mechanism has been devised by the Ministry to separately evaluate their work amongst the tribal people. Taking into consideration the fact that the NGOs and other voluntary agencies play a pivotal role in ameliorating the socio-economic condition of the teeming tribals the Committee would like the Ministry of Environment and Forests to keep a detailed record of the NGOs and voluntary organisations working in the forest areas inhabited by tribals. The Committee also desire the Ministry to devise a thorough mechanism to evaluate the work of the NGOs so that proper guidance and help is rendered to them whenever and wherever necessary.

4. 1.22

The Committee note that to generate rural employment, rural re-surgence of economic base, rural eco-system development, water conservation etc., the Ministry of Environment and Forests and the State Governments need adequate money. The Committee also note that Government services and other welfare activities in the buffer or outside the national parks are to be created for the Tribal people in order to compensate the prevention of such people from moving about inside the sanctuaries and National Parks. But these developmental activities cannot be undertaken due to paucity of funds. The Committee, therefore, desire the Union Government and the Planning Commission to suitably enhance the budgetary funds of the Ministry of Environment and Forests in the plan outlay so that India does not lag behind other countries in undertaking various eco-developmental projects. The Committee would also like to be apprised of the development made in this regard from time to time.

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5.	2.8	<p>The Committee note that Dhebar Commission in 1960 first recognised the symbiotic relationship between the tribals and the forest. The Commission had also stressed that the tribal people and forest needed each other for their survival. But the Committee are distressed to note that the Government have been formulating policies without taking into consideration the need, interest and rights of tribal people. The also note that no step has ever been taken to bring changes in the law or in the administrative set up accordingly. The Committee, therefore, recommend that whenever the Government contemplate formulation of new policies the need, interest and rights of tribal people over forest should be considered minutely. They also desire that with the formulation of new policies there should be corresponding change in the laws in order to protect the right to life and right to resources of tribal people over forest.</p>
6.	2.9	<p>The Committee observe that Government have recognised agriculture by tribals as occupation but have note recognised hunting, collecting honey or grazing animals by tribals as occupation. As the tribals are totally dependent on their primitive occupation, the Committee would urge the Government to respect their way of life and recognise hunting, collecting honey and grazing animals as their occupation.</p>
7.	2.10	<p>The Committee are unhappy to note that there are still primitive tribes whose existence in the deep forests has not been taken into account by the States while reserving the forests. As a result they have been termed as encroachers and intruders. The Committee recommend that complete data about these primitive tribals/forest dwellers may be prepared in right earnest and their rights over the forest resources be restored.</p>

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8.	2.11	<p>In order to give participatory involvement to the Tribal Communities in the management of forests, the Committee recommend that steps should be taken to educate the Tribals living in the forests about their intricate relationship with forests and protection of these forests for their own interest. The Committee also desire that the tribals should be associated in the planning and administration of forest areas.</p>
9.	2.18	<p>The Committee note that the State Governments have been allowed flexibility in conferring the rights and concessions to tribals over forest resources. As a result of this the States are following rules and regulations suiting their own interest thereby causing dissensions amongst the tribals. The Committee, therefore, recommend the Central Government to ensure that any sort of flexibility allowed to State Governments in recognising the rights and concessions of tribals over forest resources does not become autocratic and cause dissension among the tribal people.</p>
10.	2.19	<p>The Committee are distressed to note that although a long time back a policy was declared for giving ownership rights of Tendu leaves to tribals in Madhya Pradesh, it has not been translated into practice till now. The Committee, therefore recommend that instead of leaving things to pen and paper the Government should take immediate and concrete steps to see that the long pending policy of conferring the ownership rights of tendu leaves to the tribals of Madhya Pradesh is implemented in letter and spirit. The Committee also desire the Central Government to motivate and persuade other States in conferring similars rights to the tribal people.</p>
11.	2.20	<p>The Committee note with concern the wanton destruction of Tendu, Chyawanprash and Aonla trees in different parts of the country due to the ignorance of tribal people about their</p>

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		<p>rights to forest resources as well as due to the undue advantage taken by the middlemen/contractors of such ignorance of the tribal people. The Committee, are of the opinion, agree that the best way to check the spate of destruction of the above mentioned trees is to acknowledge the authority of tribal people over these trees. They therefore, recommend the Government to take suitable steps to start fresh plantation of these trees where these have been destroyed enmass with a view to compensating the past loss. The Committee also recommend that tribals should be conferred with the right of upkeeping and protecting the plantation so as to prevent future destruction.</p>
12	2.30	<p>The Committee note that many States have made institutional arrangements through Government Corporations, Tribal Cooperatives etc. to ensure remunerative price for the MFP collected by tribals as well as to protect them against exploitation by middlemen. These Corporations/Cooperatives can themselves become the exploiter of the tribals in as much as in some of the States, the Corporations/Cooperatives have done well while in others they have failed. The Committee, therefore, recommend that the Central Government should persuade the State Governments to establish Welfare Cooperative Societies consisting of only tribals alongwith the Government Corporations/Tribal Cooperatives so that remunerative price for MFP and protection against exploitation is doubly ensured to the tribals.</p>
13	2.31	<p>The Committee also desire that in case the tribals get better remunerative price for the MFP, they should be allowed to sell those to outside Agencies also under the advice and guidance of Welfare Cooperative Societies, NGOs and other voluntary organisations. This is with a view to ensuring that monopoly procurement of MFP by Government Corporations does not culminate in exploitation of poor tribals.</p>

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14	2.32	<p>The Committee are dissatisfied to note that although they had recommended in their 12th Report (Tenth Lok Sabha) for abolition of royalty levied on MFP by some States, it has not been implemented as yet on the plea that such abolition would have an adverse effect on the revenue of the States. The Committee recommend that the Union Government should make all out efforts to persuade the States to abolish royalty imposed on MFP collected by the tribals. They desire that alternative arrangements should be made to compensate the loss of revenue incurred in this regard.</p>
15.	2.36	<p>The Committee note that different States have been following different rules and procedures with regard to rights and concessions allowed to tribals for grazing of their cattle. They also note that while imposing restrictions on grazing, carrying capacity of the forest and number of cattle head are taken into account. The Committee would however, like the Union Government to ensure that carrying capacity of the forests is determined in a fair way to protect the rights and concessions enjoyed by tribals in grazing their cattle.</p>
16.	2.37	<p>The Committee also recommend that with a view to checking fraudulent extraction of money from innocent tribals the Central Government should persuade the States to abolish the grazing fee or licence fee for a fixed number of cattle in the forest areas other than the regeneration or plantation areas. In the opinion of the Committee, most of the tribal people in and around the forest area can little afford to keep cattle in large number nor are they in a position to pay such fee.</p>
17.	2.48	<p>The Committee are distressed to note that although Section 20 of the Indian Forest Act provides that all the tribal issues should be analysed before issuing any notification to collected by tribals as well as to protect them against exploitation by middlemen. These Corporations/Cooperatives can themselves become the exploiter of the tribals in as much as in some of the States, the Corporations/Cooperatives have done well while in others</p>

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		they have failed. The Committee, therefore, recommend that the Central Government should persuade the State Governments to establish Welfare Cooperative Societies consisting of only tribals alongwith the Government Corporations/Tribal Cooperatives so that remunerative price for MFP and protection against exploitation is doubly ensured to the tribals.
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17.	2.48	The Committee are distressed to note that although Section 20 of the Indian Forest Act provides that all the tribal issues should be analysed before issuing any notification to the tribals to raise their voice against injustice or the State Governments are taking undue advantage of such simplicity. The Committee, therefore, recommend the Union Government to prevail upon the State Governments to take into confidence the voluntary organisations and social workers engaged in the tribal welfare in the forest areas. These Organisations in turn can not only report to the Ministry for violation of the procedure under Section 20 by any State but also educate the tribals to appeal against injustice done to them.

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21	3.19	<p>The Committee appreciate that a 100 per cent centrally sponsored scheme entitled "Association of Scheduled Tribes and Rural Poor" in regeneration of degraded forests on usufruct sharing basis to improve the living standards of the tribal people is being implemented since 1992-93. But they are disappointed to note that although originally Rs. 320 crores covering 4 lakh hectares of area and benefitting 2 lakh tribal families was envisaged for the aforesaid scheme during the 8 years from 1992-93 to 1999-2000, only Rs. 9.60 crores for regeneration of 12,000 hectares of area benefitting 6,000 families only has been proposed for the same period due to non-availability of sufficient financial resources. Taking into consideration the popularity of the scheme, as has been evident from the fact that people are writing to the Ministry of Environment and Forests for tree plantation, the Committee, desire the Central Government to substantially enhance the funds during the VIII Plan period so that the aforesaid scheme can be implemented for the economic betterment of more tribal people.</p>
22.	3.20	<p>The Committee note that 14 states have issued orders in pursuance of the circular of June, 1990 for peoples participation in regeneration of degraded forest land and 8 States have already implemented the scheme. The Committee would like the Union Government to encourage other States to send proposals and implement the Scheme as early as possible for the benefit of tribal people. The Committee would also like the States to educate the tribals, through organising camps etc., regarding the importance of regeneration and protection of forest for their own good.</p>

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23.	3.21	<p>The Committee note that the Ministry, in the past, have repeatedly requested the State Governments to induct tribals in the forestry services especially at the level of forest guards for protection of plantations and other forest produces. The Committee also note that the guidelines issued in this regard are not uniform for which while some states are following it some are not. The Committee, therefore, recommend that the Ministry of Environment and Forests, in consultation with the Ministry of Welfare, should make these guidelines uniform so that the States/UTs recruit Tribals as forest guards to take advantage of their unquestionable knowledge about the intricacies of forests and also to improve their general standard of living.</p>
24.	3.22	<p>The Committee note that the Secretary, Ministry of Environment and Forests, the former Secretary, Ministry of Rural Development and the former Commissioner for SCs and STs have reservations in indulging industries and big Houses in the regeneration of Forests and development of Wasteland which might prove detrimental to the interest of tribal lives. The Committee agree with these views and would like the Ministry of Environment and Forests to ensure that if the industries/big houses are permitted to help in regeneration of forests and development of wasteland, that should be restricted to providing loans to the poor tribals for plantation activities and utilisation of forest land.</p>
25	3.32	<p>The Committee note that the forest departments do not continue to look after the plantation after 5 years and leave it in the hands of the village community to protect these trees themselves. The Committee, recommend that the Forest Departments, instead of leaving things in the hands of village communities, should continue looking after the plantations for two/three years more in addition to the mandatory five years so that these are better protected from unscrupulous damage.</p>

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26	3.40	<p>The Committee appreciate to note that several States have been implementing various schemes under the Integrated Area Development Programme sponsored by the Union and State Government as well as by the World Bank. The Committee, however, note with concern that sometimes the programmes meant for some specific areas and people are being diverted to some where else as has happened in Uttar Pradesh. The Committee, therefore, desire the Ministry to examine the implementation of World Food and other like programmes and take suitable measures thereafter in the forest areas of U.P. and other States where such malpractice has been reported. They would also like the Ministry to encourage other states in launching Integrated Area Development Programmes where these programmes have not yet been taken up.</p>
27	3.41	<p>The Committee note that the Ministry are encouraging new types of stoves by which 35 per cent fuelwood can be saved while cooking. They also note that the Ministry are providing assistance to the Gobar Gas Plants. The Committee feel that it is a step in right direction and would like the Ministry to continue these measures in future also with a view to reducing the pressure on the existing forest areas.</p>
28	3.42	<p>The Committee note that the Policy Advisory Group constituted by the Ministry has given some good recommendations for conserving fuelwood in the country. They also note that some State/UTs are taking necessary follow-up action for implementation of the recommendations of the Policy Advisory Group. The Committee recommend that besides encouraging other State to follow suit the Ministry should also periodically monitor the implementation of the recommendations of the Policy Advisory Group in the States/UTs.</p>

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29	3.51	<p>The Committee note that the practice of shifting cultivation is a part of the ethos of the tribal communities for which weaning the tribals away completely from this practice is a herculian task. The Committee, however, appreciate the efforts made by several states in devising alternative avenues of income to discourage shifting cultivation among the tribals. The Committee would like the Ministry to encourage the State Governments for devising more and more alternative income generating avenues to curtail the rate of shifting cultivation amongst the tribals.</p>
30	3.52	<p>The Committee also note that land allotted to tribals is not suitable and not yield much for which the tribals prefer to go back to shifting cultivation. The Committee, therefore, recommend that utmost care should be taken to ensure that land allotted to tribals, for discouraging them from shifting cultivation, is fertile.</p>
31	3.53	<p>The Committee also recommend that in North Eastern State where the Tribal sentiment is deeply attached with shifting cultivation, steps should be taken to experiment with tree culture as has been done in Himachal Pradesh to dissuade the Tribals from shifting cultivation.</p>
32	3.54	<p>The Committee note that jhoom cultivation is injurious to environment but harmonious to tribal livelihood. The Committee also note that in North Eastern States jhoom cultivation constitute 30 to 90 percent income for the tribals. The Committee would, therefore, like the Ministry of Environment and Forests to study carefully the pros and cons of jhoom cultivation before deciding to do away with same completely.</p>

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33	3.59	<p>The Committee note that the approved permissible expenditure per family under the 'Beneficiary Oriented Schemes for Tribal Development' is inadequate. They also note that the Task Force has recommended approximately Rs. 1.00 lakh per family instead of the existing Rs.45,000/- to Rs.50,000/- per family under the aforesaid scheme. This recommendation is at present under consideration. The Committee would like to be apprised of the position as soon as a decision is taken to implement the recommendation of the Task Force.</p>
34	3.60	<p>The Committee note that the Central Government propose to monitor the Scheme by conducting field visits to see that it is being implemented in letter and spirit. The Committee recommend that the Union Government should start monitoring the scheme by conducting regular and periodical field visits to each of the sites without further loss of time.</p>
35	3.68	<p>The Committee note that the Ministry of Environment and Forests have issued detailed and uniform guidelines to the States/Union Territories to give compensation to the tribals and other people living in and around forest areas in case of death or permanent incapacitation, grievous and minor injuries, loss of cattle and damage to house or crop or any other property. But the Committee are distressed to note that most of the States are paying much less compensatory amount than the minimum prescribed. It is due to the fact that the guidelines issued to them are only advisory. The Committee, therefore, recommend the Union Government to issue mandatory guidelines to the States/Union Territories so that at least the minimum amount of compensation as prescribed for loss of life</p>



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		<b>and property is rendered to the tribal people. The Committee also desire the Union Government to evolve a monitoring system to oversee the meticulous implementation of these guidelines by the States/Union Territories.</b>
36	3.69	<b>The Committee would like the amount of compensation to be reviewed by the Central Government at least once in five years commensurating with the cost of living.</b>
37	3.70	<b>The Committee also recommend that adequate provisions be made in the Budget grants of the Union as well as the State Governments to meet emergency payment of compensation for loss of the life and property.</b>

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