

The Changing Nature of Forest Right Acts in Post- Colonial India and The Tribal Development : Historical Analysis

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Abstract : Politics has always played a destructive and conflicting role with the tribes and forest dwellers not only during the colonial period but also during the post-colonial period in India. Even after more than five decades of Indian planning, deprived groups, and the tribal's in particulars, continue to remain underdeveloped and underprivileged, with their living conditions deteriorating further. Taking a historical perspective, this article seeks to explore the changing nature of environmental policy-making, with specific attention to natural resource management issues since the late 1980s and analyse the consequences of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006 on the environment as well as tribal development. Examining whether this new, politically motivated law will provide an impetus for economic progress of the tribal's and environmental sustainability, it is argued that this Act will neither benefit the tribal communities nor enhance conservation. In fact, my contention is that developments with regard to different environmental legislations and policies in particular sectors are often contradictory in nature, sending confused signals as to the future of environmental policy itself. My specific focus with regard to social concerns is community rights to resources – a concern that is central to many of the debates on natural resource management. Three arguments are put forth: (1) that while the environment has at one level assumed a nonnegotiable presence in policy, social concerns are only highlighted to the extent that they are deemed not to be environmentally destructive, (2) that the discursive terrain through which social concerns are deemed harmful is overly simplistic and in need of re-examination, and (3) that the changing nature of environmental discourse can only be understood within the wider shifts in development policy. Although there are many who would claim that the environment itself receives an inadequate attention in development policy, a contention that is at least partly true, I am concerned here with how emerging policies and legislations tackle social concerns given the socially constructed nature of the environment. This is necessarily central to imagining future possibilities linked to managing the environment for the poor instead of only imagining environmental management by the poor

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Prerogatives Vs Social Concerns Globally

The environment assumed a central role in India, to a large extent, as a result of the first major international conference on the environment, namely, the United Nations Conference on the Human Environment (UNCHE) held in Stockholm in 1972. In preparation for this meeting, each member state was asked to prepare a report on the state of the environment. India set up a committee on the human environment under the chairmanship of Pitambar Pant, a Planning Commission member. The outcome was three reports, one on the state of the environment, one on the problems of human settlement and one on the possible strategies to manage resources. Environmental goals were subsequently incorporated in the Fifth Five-Year Plan onwards.

Legislations such as Wildlife Protection Act, 1972 and the Water (Prevention and Control of Pollution) Act, 1974 were passed soon after as well (Divan S and Rosencranz 2001:33).

While the discursive thrust of much of environmental policymaking in the late 1970s and early 1980s was on incorporating environmental principles in sectoral planning, something that was matched with legislative intervention, the latter part of the 1980s saw the focus shift towards sustainable development. The importance of this shift was that the link between social and environmental concerns was more forcefully articulated. Again this was at least partly due to developments internationally. The World Commission on Environment and Development (WCED) published *Our Common Future* (the Brundtland Commission Report) in 1987, a report that highlighted the importance of both inter-generational and intra-generational equity with regard to environmental management. Equally important was the fact that the Brundtland Commission Report explicitly recognized the linkages between the rights of communities and the management of the environment (Lafferty 1998: 267). entitlements and rights of these committees are.

The 1988 National Forest Policy (NFP) was the first "environmental" policy document in India that explicitly recognized the linkages between environmental and social concerns in terms of community rights to natural resources (Ghate 1992: 54). Unlike the previous forest acts that privileged revenue and commercial interests, the NFP was strikingly different. Section 4.6 of the policy highlighted the symbiotic relationship between tribal's and forests and the need to involve tribal communities in the management of forests. It also emphasized that domestic requirements of firewood, fodder and minor forest produce should be the first priority of forest management, not commercial or industrial needs. In char sense, it signaled a definite damage of approach and was an indication of what was to possibly come. Tribal Right Vs Environmental Concerns Biodiversity conservation offers a third interesting case in terms of how questions of decentralised community rights to natural resources have been dealt with. In 2000, the ministry of environment and forests (MoEF) gave an NGO Kalpavriksh, the responsibility of preparing a national biodiversity strategy and action plan (NBSAP). which highlighted the importance of local community rights to biodiversity and the dangers of an intellectual property rights regime that privileges corporate knowledge and private ownership (patenting). (Kalpavriksh undated (a) In terms of strategies, the report specified that empowered local community institutions" should be the implementers of the plan. It would have appeared, therefore that a good opportunity for decentralised natural resource management where communities were given rights to resources was on the anvil (Kothari 2004).

However, before the NBSAP was completed in 2003, the National Biodiversity Act, 2002 was passed. Although one of the explicit objectives of the act was the recognition of local rights to biodiversity, critical no doubt in the context of developments around intellectual property rights (IPRs), the act has been justifiably criticised for vesting most power with national and state biodiversity boards as had been the case with the Biodiversity Bill 2000 (Srinivas 2000; Kalpavriksh undated (b)). Moreover, as others have already pointed out, the act is aimed primarily at addressing the concerns of industry (Srinivas 2000). Although the National Biodiversity Act, 2002, does recognise the need for local biodiversity committees (BMCs), the actual powers given to these committees again are mostly managerial in nature. Under Section 41, these committees are constituted for promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and micro-organisms and chronicling of knowledge relating to biological diversity" (NBA 2004: 20). What remains missing is any serious consideration of what the Though the focus of this article is on the contemporary period, the core issues concerning conservation and tribal development can never be seen in isolation from their colonial legacy. Since the late nineteenth century, blaming tribal's for denudation and destruction of the green cover has been the standard rationale for imposing severe curbs on their use of forests. The colonial government imposed several restrictions under various Forest Acts to protect and preserve the environment. Under these Forest Acts, during the late nineteenth century, forests used by indigenous tribal communities without any interference from external agencies like Forest Departments, to a very large extent, were notified

as reserve forests. While imposing these restrictions, the colonial government did not initiate any development programme in the hill regions. The same period also witnessed official encouragement to commercialise forest resources by the Forest Departments in different parts of the country. Early postcolonial governments, then, did not differ much from their predecessors, both in terms of imposing controls on tribal access to forest resources and carrying out development measures (Saravanan, 1997a; 2006c; 2006e). Indeed, tribal development continued to be largely ignored in the absence of concrete programmes with adequate financial allocations.

However, this trend changed particularly after the 1980s, when the Tribal Sub-Plan concept was introduced during the Fifth Five-Year Plan. Since then, certain infrastructural facilities came to be established in tribal areas. Unfortunately, however, these initiatives have failed to bring any substantial improvement and the living condition of tribal's has deteriorated further with a pathetic decline in their status, often from cultivators to labourers (Saravanan, 1994; 1997a; 2006c; 2006e). Interestingly the post-colonial governments, too, continued to encourage commercialisation of forests (Gangwal, 2005; Saravanan, 2006, 2006e). Accepting the failures of forest policy, the Ministry of Tribal Affairs declared the restrictions on the tribal's as historical injustice and sought to ensure access to forest resources, besides conferring ownership rights for the lands under their possession in the forests. However, curbs to access the forest resources were imposed wherever wildlife was affected.

The Scheduled Tribes and Other Traditional Forest (Recognition of Forest Rights) Act of 2006 marks a clear paradigm shift in the approach of the Ministry of Environment and Forests towards the Scheduled Tribes, who were hitherto held responsible for the destruction of forests. So far, the plight of the tribal's, whose economy was associated with forest resources, had been largely ignored and disregarded with utter contempt. It is a well-established fact that since the early nineteenth century, forest resources were increasingly extracted for commercial purposes, while restrictions were clamped on the indigenous tribal's through a number of Forest Acts and a plethora of rules and regulations. Several strategies including force, were employed to control the forest areas to part facilitate commercial exploitation (Saravanan, 1999a; 2003b; 2004a). For example, in the Madras Presidency, the Forest Department brought vast tracts of forest land under forest reserve by the close of the nineteenth century. Later, the Revenue Department initiated the survey settlement during the early twentieth century (Bhatia, 2005; 4891; Saravanan, 1999d; 2006a). It was an exercise whereby the Forest Department took over large chunks of forests, an inalienable part of the tribal's' livelihood, and then handed the local tribal's the remaining areas with ownership rights. While of their livelihood sources was thus made inaccessible, the rest was permitted to be utilised with an eye on revenue generation from the tribal's (Saravanan, 2006a).

After independence, forest resources continued to be extracted for commercial purposes increasingly to meet industrial needs. In addition, various developmental projects like dams and activities related to tourism consumed a very large extent of the green cover (Saravanan, 2006). For example, in 2001 alone about 414 paper industries depended on forests for supply of raw materials. There were about 41,229 saw mills during that year, with a potential capacity of 29,564 thousand cubic metres per year. In addition to this, about 4.07, 983.02 hectares of forest land were diverted for non-forest use between 1981 and 1998. According to such Forestry Statistics (Indian Council of Forestry Research and Education, 2000), in 1998 about 7,14,855.30 hectares of forest land were under encroachment. According to the Ministry of Environment and Forests, the total area of forest land under encroachment by both tribal's and others was about 13 lakh hectares.

Several states enacted laws to curtail tribal land alienation, but invariably they remained ineffective (Bhatia, 2005: 4892). In what is a clear case of locking the stable after the horses have fled, several states enacted relevant laws only when the issue of land alienation had reached its peak. Consequently, one could find a large number of non-tribal settlements in the hill/tribal areas (Saravanan, 1997a; 2000a; 2006e). The logical corollary

was massive displacement of tribal's, who were pushed into positions as labourers on their own lands, an index of deterioration in the hills (Menon and Saravanan, 1996; Saravanan, 1998c; 1999c; 2003a; 2004b; 2006). The post- colonial forest policy, specifically the National Forest Policy 1952, had its thrust and focus on uninterrupted supply of forest resources, primarily to satisfy the needs of industry and other commercial purposes. Following the footsteps of the British government in India, the post-colonial government also continued to place blame on the tribal's for deforestation and depletion of forest resources and tightened the restrictive grip, either through existing Acts or enactment of new legislation till 1988. In the history of forestry in the Indian subcontinent, tribal people's dependence on forests was first recognized through the National Forest Policy of 1988 (Government of India, 1988).

State intervention and attendant mechanism for development, too, proved to be futile (Saravanan, 1998c). Depletion of flora and diminishing fauna, along with decline in the standard of life of hill inhabitants are very much evident. Consequently, realisation dawned gradually that without the active cooperation of tribal's, conservation of forests and wildlife would be a difficult task. Recognising the symbiotic relationship between tribal's and forests, the National Forest Policy of 1988 made provisions to safeguard the customary rights and interests of the tribal's and forest-dwellers over the forest resources,

In addition to this, in the same year, the Government of India outlined a framework for creating a massive people's movement through involvement of village committees for the protection, regeneration and development of degraded forest lands. Conscious of this, the Forest Department also initiated confidence-building measures through the Joint Forest Management programme (Saravanan, 2006a; 2006). The last two decades also witnessed several circulars being issued with a focus on conservation. But unfortunately, these measures were largely confined to degraded forests. As such, the 2006 Act coming at this juncture is to some extent an admission of the growing problems and plight of the tribal's.

Political Economy of Tribal Development.

While the imposition of restrictions on the use of forest resources during the colonial period was not accompanied by any corresponding development initiatives for the socioeconomic progress of the tribal's, the same approach continued in the early post-colonial era despite several constitutional safeguards. In the absence of concrete programmes, the safeguards obviously lacked credibility. Some half-hearted measures were taken up in the hill/jungle areas as part of rural development programmes prior to the Tribal Sub-Plan. These failed to succeed, mainly because of the isolation of tribal's and lack of communication facilities in the tribal areas. Developmental plans and programmes targeting tribal's were initiated only during the Fifth Five-Year Plan with the launch of the Tribal Sub-Plan, which happens to be a milestone.

The Tribal Sub-Plan was implemented with the twin objective of assisting Scheduled Tribe families to cross the poverty line and to provide basic amenities and facilities in their areas. The plan was thus conceived to help tribal families in improving their socio-economic and educational status. Economic development programmes in the fields of horticulture, animal husbandry, soil-conservation, minor irrigation, sericulture, small industries and bee-keeping, besides locale-specific schemes for provision of drinking water, road connectivity, electrification, education and health facilities, improving forestry, communication, cooperation and social services were taken up. Whether these measures created the desired impact in the economic sphere requires closer scrutiny.

According to the 2001 Census, the total population of Scheduled Tribes in India stood at 84,326,240, roughly constituting 8.2 per cent of the country's total population (Census of India, 2001). Of this, 91.7 per cent lived in rural areas, while the remaining minuscule minority of 8.3 per cent resided in urban areas. That the development initiatives failed to create a positive impact was very much visible through a decline in the proportion of participation rates of tribal's in economic activities. According to 2001 Census figures, the work

participation rate among the Scheduled Tribes in India was as low as 49.1 per cent. About 69 per cent of these were classified as main workers, while the remaining 31 per cent were treated as marginal workers. Decline in the status of such workers was also evident from the fact that no significant structural transformation had occurred among tribal's. About 82 per cent of the tribal workforce in India was engaged in primary sector activities (cultivation and agricultural labour). If agriculture and allied activities were included, this proportion might go up. At the same time, the proportion of cultivators to the total tribal workforce declined to 45 per cent, while the category of agricultural labourers registered an alarming increase of 37 per cent in 2001 (Census of India, 2001). More or less the same trend prevailed in different parts of the country (Saravanan, 2003c, 2004b). This provided clear indications that the tribal economy was on a downward slide with a visible downfall due to large-scale encroachment by the Forest Department and alienation of land by non-tribal's (Saravanan, 2000a; 2006c; 2006). For instance, in Tamil Nadu, the Forest Department has notified additional areas into a

the reserve forest since Independence. Consequently, the area under forest cover has increased from 18,66,000 hectares in 1960-61 to 21,34,000 hectares in 1999-2000, or from 14.13 to 16.55 percent of the total geographical area of the state (Saravanan, 2000b; 2006d; 2007). A survey undertaken among 2631 tribal households in 1986 to ascertain the intensity of land alienation revealed that 37 percent of the tribal households lost their lands to outsiders (Karuppaiyan, 2000). Land was either sold or disposed of to meet rising domestic consumption, debt repayment, social and religious ceremonies, medical expenses and to some extent addition to alcoholism (Karuppaiyan, 2000). Further, illiteracy remained very high. According to the 2001 Census, about 53 per cent of the total tribal population in India was classified as illiterates. This proportion was very high among females with 65 per cent.

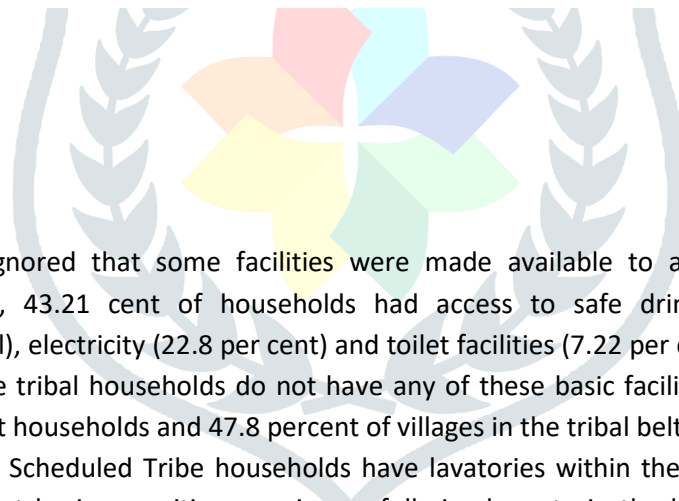
Given the declining trends of tribal economy, the impact of development programmes providing safe drinking water, electricity and toilet facilities needs to be examined. According to the 1991 Census, only a meager 3.23 per cent of tribal households had access to safe drinking water, electricity and toilet facilities. A tiny 5.02 per cent of households had both electricity and toilet facilities. Needless to say that almost all the tribal households, especially in the rural areas, are living without the basic minimum facilities, as shown in Table 1.

Table 1. Sources of Facilities Available for the Tribal Households in India 1991

Facilities	Total	%
Safe Drinking Water*	53,35,483	43.21
Electricity	28,14,885	22.80
Toilet facilities	8,92,116	7.22
Safe drinking water, Electricity and Toilet available	3,98,830	3.23
Electricity and Toilet available	6,20,324	5.02
Safe drinking water, Electricity and Toilet not available	55,93,598	45.30
Electricity available and Toilet not available	21,94,561	17.77
Electricity not available and Toilet available	2,71,792	2.25
Total	1,23,48,000	

Source : Census of India, 1991, Tables on Houses and Households Amenities

* Tap/handpump/borewell



However, it cannot be ignored that some facilities were made available to a sizeable section of tribal households. For instance, 43.21 cent of households had access to safe drinking water per (either a tap/handpump or borewell), electricity (22.8 per cent) and toilet facilities (7.22 per cent). Interestingly however, about 45.3 per cent of the tribal households do not have any of these basic facilities. According to the 2001 Census, about 63.5 percent households and 47.8 percent of villages in the tribal belt have no electricity. Further, only about 17 per cent of Scheduled Tribe households have lavatories within their premises. What emerges from the above data is that basic amenities remain woefully inadequate in the hills. There are about 2,690 forest villages in 13 states which are still managed by the Forest Departments of the respective state. These villages are outside the Revenue admission of the districts and have therefore missed the fruits of development (Goenka, 2005).

Protest Over the Bill

The participants in debates on the Scheduled Tribes (Recognition of Forest Rights) Bill of 2005, prepared by the Ministry of Tribal Affairs Government of India, 2005b), could be broadly grouped into three categories: tribal's and other forest-dwelling activist groups, supported by the Ministry of Tribal Affairs, argued in favour of the Bill; environmental/conservation activists dominated by the wildlife (particularly Tiger) protection groups, supported by the Ministry of Environment and Forests, opposed the Bill; other forest-dwelling groups assisted by civil society organisations and certain political parties supported efforts to include other forest dwelling communities.

Against the proposed Bill, several criticisms cropped up that can be broadly grouped into three categories. The conservationists, environmentalists and wildlife activities especially the pro-tiger enthusiasts, were in the forefront of opposing the Bill. Their contention was that the proposed legislation would cause irreparable damage to wildlife. Expressing apprehension that this Act would result in the transfer of 50 million hectares of the country's 67 million hectares of forestland to tribal's and forest dwellers, they pointedly called it a sell-out to vote-bank politics' (Munshi, 2005: 4406). It must be noted, though, that the argument put forward by the tiger conservationists was due to a misreading of the provisions in the Bill. Hypocrisy is thus rightly identified in the attack on the Bill by conservationists and some well-known journalists (Kothari, 2005).

The principal objections of the Ministry of Environment and Forests were: (i) giving power of settlement claims to village councils (Gram Sabhas) will result in local vested interests gaining control; (ii) distribution of 2.5 hectares of forest land to each family is against the goal of the National Forest Policy of 1988 to get one-third of the country under tree cover; (iii) de notification of vast tracts of forest lands and elimination of legal protection for forest cover will have disastrous consequences on the ecological balance; and (iv) over 60 per cent of India's forests will be handed over to 8.2 percent of its population (Dang, 2005; Munshi, 2005: 4406; Lok Sabha Secretariat, 2006). Some of the tiger protectionists proffered dramatic solutions for tribal development (Dang, 2005). The Provisions of the 2006 Act

The present article attempts to situate and contextualise the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006, arguing that this new law will have far-reaching implications on the environment as well as tribal development. The Act explicitly allows tribal's to use forest resources for their livelihood, hitherto restricted by the earlier Forest Acts since the late nineteenth century. For instance, the Indian Forest Act, 1927, had prohibited any fresh clearing for cultivation and other purposes in the notified areas, cattle trespass and grazing, felling of trees and damaging of any tree besides hunting activities in the reserve forests. Under this Act, any violation of the rules would be punishable either with imprisonment or penalty or both. In addition, damage to property had to be compensated. In contrast, the 2006 Act has endowed the tribal's with the right to live in the forest, the right to cultivate for their livelihood, the right to collect minor forest produce, the right to graze cattle, the right to convert leases or grants (pattas) to titles, the right to convert forest villages into revenue villages, the right to settlement in the old habitations and unsurveyed villages, the right to access and community right over intellectual property and traditional knowledge related to forest biodiversity and cultural diversity, the right to manage the community forest resources, and the right to enjoy any customary/traditional practice, however excluding hunting.

The legislation accords due statutory recognition to what existed prior to the erstwhile Forest Acts and external interventions into the self-sustainable forest-based livelihood systems and traditional customary practices, of course, within the purview of the existing forest and wildlife Acts. It will ensure ownership rights to the tribal's who do not have proper documents despite having lived in the hills for generations. In most states, the Forest Departments have notified vast tracts as forest reserve before granting ownership rights to the tribal's for the land under their possession. For instance, in Madras Presidency, reserve forests were notified in hill areas in the last decade of the nineteenth century while the survey and settlement was held during the first decade of the twentieth century (Saravanan, 2000a; 2004a; 2006a). Consequently, the tribal's who had no occupancy right were ironically treated as encroachers on their own land and lived under the constant threat of being evicted or penalized. According to official Forestry Statistics, about 6.17 lakh hectares of forest land were classified as encroachments (Indian Council of Forestry Research and Education, 1996). Setting right the anomaly, the Act would ensure removal of the bottlenecks in the implementation of the welfare measures, which were denied so far to so-called unauthorised settlements'. failed to contain exploitation.

Earlier, a large proportion of the present forest cover was brought under reserve forests at the close of the nineteenth century and the process negated the customary rights of tribal's. Naturally, a series of conflicts

ensued between the hill communities and the Forest Department while demarcating the lands under the occupation of the former and also over access to natural resources. Several representations were made over time to exclude tribal land from the proposed forest reserves (Saravanan, 2003b; 2006a). Ultimately, the concept of reserve forest emerged to become a part of forest management and conservation Conflicts Between Environment and Tribal Development

The tribal population density in the hill areas even a century ago was very low. As such, enormous amounts of land in different regions remained unoccupied. This facilitated more and more forest terrain being brought under direct state control. Due to lack of communication and transport facilities, Forest Department staff mostly remained at villages in the foothills, while the tribal's continued to use forest resources for their livelihood. Non-tribal settlements were initially confined to a few hills, where plantations were established (Saravanan, 2000a; 2004a). The advent of the plantation sector added another dimension to existing conflicts and sharpened them, especially with the increasing pace of land alienation. Development of infrastructure like communication, transport and road connectivity in the hills during the postIndependence period assisted the Forest Department to mount increased vigilance

In this context, a pertinent question is how this new Act of 2006 would address the issue of tribal development and environment, always seen as a conflicting one rather than being complementary. The constitutional position on this is actually very clear. Article 48-A of the Constitution of India of 1950, added by the 42nd Amendment in 1976, provides that [t]he State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country. Article 46 of the Constitution further seeks to promote the interests of weaker sections of the population and provides:

46. Promotion of educational and economic interest of Scheduled Castes, Scheduled Tribes and other weaker sections. The State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation In pursuance of such clear constitutional mandates, included among the Directive Principles of State Policy in Part IV of the Indian Constitution of 1950, several statutes were enacted to preserve the environment and wildlife. Despite this, there was an alarming depletion of natural resources and wildlife species in India. With regard to tribal development, the state implemented several programmes, though they have protect and

Unfortunately, the 2006 Act appears to be contrary to the Constitution in two ways. Firstly, attempting to recognise centuries-old, but now defunct, forest-oriented customary rights could turn out to be a great threat to the environment, ecology and wild life. Secondly, instead of assisting and facilitating the economic progress of the tribal's and protecting them from exploitation, encouraging them to live in the forests could be interpreted as amounting to an evasion of responsibility

the way The main apprehension of environmentalists, as noted, is that the 2006 legislation, if implemented, would pave for handing over roughly 60 per cent of the present forest area to tribal's. It is true that not necessarily all tribal households would get land from the forest, but the fact remains that all tribal's and other forest dwellers are entitled to collect forest produce. Forest resources in their entirety have thus been virtually given back to the tribal's and other forest-dwellers. Since denudation was rampant when there was restriction to collect forest resources, the consequences could be dangerous once unfettered collection becomes a matter of right. It is apparent that de-reserving forest reserves and allowing collection of forest produce, in the context of shrinking forest cover, could pose a serious threat to the ecosystem, already under severe stress from various actors. This raises the important question of how responsible tribal's will fed for protecting the green cover of their living environment.

Conclusions

Admittedly, development has been broadly accepted to mean a process of improving the status and living conditions of people, while conservation denotes protection of natural resources. The present new legislation might facilitate tribal's use of forest resources for their subsistence and guarantees them ownership rights. At the same time, it has to be borne in mind that the 2006 Act is silent on restoration of lands from non-tribal's, occupied prior to the cut-off date. Entry of non-tribal's into the hills preceded the establishment of the Forest Department in the early nineteenth century. Even after the introduction of the reserve forests during the late nineteenth century, a very large extent of tribal lands was alienated to non-tribal's. In addition a sizeable extent of tribal land was alienated by educational institutions, hotels, resorts and other tourism development ventures. Consequently, about 37 per cent of the tribal population in India has become agricultural labourers in 2001. No one can possibly argue that tribal households were excluded from forest lands prior to the intervention of the Forest Department or the advent of non-tribal settlements. Every household occupied the land for their own survival. While non-tribal's cornered most of the fertile and cultivated lands, the tribal's were forced to go deeper into the forests or become dependents. Hence, restoring alienated land is a more viable and sustainable option than just giving tribal people ownership rights to forest lands. Unfortunately, the prime focus of the 2006 Act remains regularisation of lands held by tribal's without any land deed or other documents, a measure which also benefits non-tribal's. The Act is rather silent about the plight of the more than one third of the tribal population who have lost their land over the period. They have been left with no option but to go further into the forest – or to migrate elsewhere in the Indian context, the political economy of land and the societal power relations associated with its possession need not be emphasised. Hence, any attempt towards achieving developmental objectives should necessarily commence from restoration of the now alienated erstwhile tribal occupied lands. Equally important is the need to ensure a participatory approach and an efficient delivery system

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