

The arrogance of the ignorant

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"It is tragic that 'New India' chooses to attack Adivasis and forest-dwellers instead of those destroying its ecology."

When the tsunami hit the Andaman and Nicobar Islands in 2004, thousands perished. However, some of the oldest Adivasi tribes, the Jarawas and the Onges, lost nobody. These communities followed animals to the highlands well before the waves hit. Formal education was of little survival value in a context where you needed swift instincts.

When Western drug and pharma corporations send their scouts to remote regions in India to look for herbs to patent, the scouts do not consult top Indian doctors or scientists first. They smuggle their way into jungles inhabited by Adivasis where, in a moment of weakness, an elderly woman adept in the healing arts may divulge a secret or two. Later, the companies might test the herb in their labs and find that the woman's claims were correct. This has long been the staple of biopiracy.

That those forests inhabited by Adivasis are some of the best conserved in the subcontinent is a long-standing fact contrary to the understanding of supposedly educated Indians. What is invaluable is what is often described as 'indigenous knowledge' — as though the knowledge gained over centuries of lived experience is of somehow lower valency than the literacy acquired in a school, or perhaps of no value at all.

Relationship with nature

Sadly, the articulate arrogance of 'New India' is such that it is unable to see any virtue in the lives of Adivasis and other forest-dwellers who have lived in and by the forests since times immemorial. Enconced as it is in the air-conditioned offices of metropolitan India, duly estranged from any living ecology of the earth, while fully predatory on it, it sees people who live in and by the jungles as 'underdeveloped' criminals who are among those responsible for the thinning of the forests.

This appears to be the view held by petitioners, including retired forest officers and conservation NGOs, in a lawsuit filed in the Supreme Court in 2008. They seem to believe that humans are not a part of nature and can never co-exist with it. It is far from their imagination to distinguish between Adivasis who know something about living sensibly with nature and the rest of us, who do not.

That even the courts would fall to such abysmal levels of understanding has become a defining feature of the reforms era. On February 13, the Supreme Court ruled that over 1.12 million households from 17 States, who have had their claims rejected under the Forest Rights Act (FRA) 2006, are to be evicted by the State governments before July 27. It is not clear what fraction of these are individual claims and what fraction are community claims. Nor are all of these Adivasi households. Some might fall under the 'other traditional forest-dwellers' category. Critically, the Central government failed to send its attorney to the court. Ironically, the FRA contains no legal provision for the eviction of rejected claimants. In the face of loud protests from around the country, the court issued a stay order (till July 10) on its ruling. This suits the political goals of the incumbent BJP as it prepares for the polls. Many States are yet to give their details to the courts. Once they do, the number of households to be evicted may rise. Close to 8-10% of the Adivasi

population may be asked to vacate their traditional homes and abandon their livelihoods. Has the court contemplated the gravity of the implications? Where are these people supposed to live and make a living? What justice is there in acting in such an inhumane manner?

It betrays ignorance. The judges know that we live in an ecologically imperilled time when metropolitan India has much to answer for its corporate-consumer excesses. And yet, it is among the weakest and the wisest that they choose to attack. The world's largest refinery is coming up in the Konkan, uprooting 17 villages, over half a million cashew trees and over a million mango trees. Thousands of acres of Himalayan forests and over a hundred villages will be submerged by one of the world's tallest dams coming up in Pancheshwar in Uttarakhand. Are the conservationist petitioners and courts doing anything to stop any of this? They show little courage when it comes to tackling the land mafias, builder-developers, realtors, constructors and miners, but their conscience is ablaze over conserving Adivasis in the jungles.

A dying civilisation

This is the arrogance of ignorant India and it shall not abdicate till it has laid to rest the last hopes of what was 'a wounded civilisation', and is now a dying one. For, let us be clear about one thing: freeing the forests of their traditional inhabitants is almost certain to expose their erstwhile habitats in short order to the speedy, organised depredations of the forces of what has come to be seen by the elites as 'development'.

If remote habitats are emptied of Adivasis, there may be nobody to forewarn us when ecologically perilous tipping points are crossed in the future. To make matters worse, worrying amendments that have been proposed to the Indian Forest Act, 1927, which further strengthen the stranglehold of forest officials over India's jungles and its inhabitants, have now been made public.

Perhaps some day, when their decisions affect them, the folly of their pronouncements will dawn upon those who preside on the fates of millions today. But it shall be too late then. Before July, the safe-keepers of justice might wish to ponder Gandhi's words: "A time is coming when those, who are in the mad rush today of multiplying their wants, vainly thinking that they add to the real substance, real knowledge of the world, will retrace their steps and say: 'What have we done?'"

GS World Team...

Scheduled Tribes and other traditional forest dwellers (Recognition of Forest Rights Act - 2016)

Why in the discussion?

- The Supreme Court has ordered that the illegal occupants who failed to prove themselves as residents of the forest to be evicted from the forests.
- With this order of the Supreme Court, around 10 lakh people across the country may have to evacuate the forest.
- These residents were to prove their claims under 'Scheduled Tribes and other traditional forest dwellers (Recognition of Forest Rights) Act - 2006'.
- The highest encroachment on forest land is in the forests of Madhya Pradesh and Odisha, where the rights of three and a half lakhs and 1.5 lakh people respectively have been rejected.

What is it?

- The historical law of Scheduled Castes and Other Traditional Forest Residents Act, 2006 has been brought into force to overcome the asymmetrical life situation of many tribal families living in forests.
- This law has been implemented to provide the Scheduled Castes and other traditional forest dwellers living in the forests their legitimate rights, since generations, but who have been deprived of forest rights and livelihood in forest land.
- Under the section 3 (1) (h) of Scheduled Tribes and other traditional forest area residents (Forest Rights Recognition) Act 2006, wild villages, old populated areas, villages without survey and other villages of forest area, Whether they are notified in the form revenue of a village or not, their right to set up and change will be given to all Scheduled Tribes

and other traditional forest dwellers living here.

Forest Rights Act, 2006

What is it?

- The Forest Rights Act (2006) is an important document of Forest Rules which has passed on December 18, 2006.
- This law is linked to the rights of land and natural resources of the people living in the forests, who have been denied from the colonial period.
- Its purpose is to conserve forests on the one hand and on the other hand it is also an attempt to compensate the people living in the forests against the injustice done to them for centuries.

The main provisions of this law are as follows: -

- It protects the rights of Scheduled Tribes dependent for their livelihood or those living in forests.
- The people and tribals living in the forests are empowered the right of the land they are using.

- Gives them the right to animal grazing and use water resources.
- In the event of displacement, it provides for reinstatement.
- Ensures local partnership in forest management.
- Displacement of people living in the forest can be done only for the purpose of wildlife conservation. This should also be based on the consent of the local community.
- The Forest Conservation Act (2006) promotes forest conservation by giving rights to local people on land.
- This prevents illegal occupation of land in forest and considers the displacement of locals as the last resort for forest conservation. In the event of displacement, it also provides the right to rehabilitate people.

Expected Questions (Prelims Exams)

1. Which of the following tribes inhabit in Andaman and Nicobar Island

- | | |
|----------|-------------|
| 1. Onge | 2. Jarwa |
| 3. Sakai | 4. Shompen. |

code:-

- | | |
|----------------|----------------------|
| (a) 1, 2 and 4 | (b) 2 and 4 |
| (c) 1 and 3 | (d) All of the above |

Expected Questions (Mains Exams)

Q. Tribals and Forest dwellers have to face which type of problems in the context of forest rights? Critically evaluate the role of government and judicial court in dealing with these problems.

(250 Words)

Note: Answer of Prelims Expected Question given on 30 Mar. is 1(c)