

A Journey of Forest Dwellers from Denial to Exercising of Rights Over Natural Resources

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Abstract

Forest Rights Act 2006 is a historic decision to undo the injustice done to indigenous communities and forest dwellers by providing them ownership and management rights. It also provided scope for communities to secure livelihood sustainably. However, it is challenging to exercise rights over forests due to the lack of government apathy and clarity over pre-existing laws. Implementing the provisions on the ground is always full of struggle and requires much effort. Hammering from different angles on an issue or engaging different vital players with the issues always bring the result, whether it is sooner or later. The consistent efforts by villagers of Jamguda in Odisha to achieve ownership over forest resources to have full access and management are praiseworthy. This article will explore the process and learnings so that it can set an example for policymakers.

“The forest is not a resource for us, it is life itself. It is the only place for us to live.”
- Evaristo Nugkuag Ikanan

Introduction

The forests were the natural habitats of human beings for centuries. People lived in the forest. It was also associated with their life, livelihood, health, belief system, etc. Slowly in the name of development, forest degradation started. Undoubtedly development is needed for human society, but forests are equally important for human survival. Without a balanced ecosystem, human society can't sustain itself. Forests protect the ecosystem and enrich society with many herbs, plants, and wood that we desperately need for survival. The protection and preservation of forests are two important aspects of forest management. Forest dwellers are doing both, given their understanding and knowledge. A small village located in the remote area of Kalahandi district in Odisha province set an example of forest governance that is beyond forest management.

Jamguda is a small village located four km from Gram Panchayat Headquarter Barabandha, 18 Km from block headquarter Madanpur Rampur and 65 km from district headquarter Bhawanipatna. There was no proper road to the village until a few years ago. The village consists of 68 Schedule Tribe households and five Schedule Caste Households. Around 12 households are landless in the village, while others are small and marginal farmers. The village is surrounded by 14 small forests and 11 perennial sources. The local forest is full of natural resources such as *char, mahua flowers, honey, bamboo, tubers, mushroom, char, siali leaves, leafy vegetables*, etc., even though they were not fully owned. The forest has been

protecting the livelihood of the villagers for ages. Odisha has 9% of the country's total bamboo forest. Pure bamboo forest covers 374 square km, whereas mixed bamboo forest covers 17,794 square km. As per the Ministry of Tribal Affairs' data, Odisha comes third in both claiming and receiving community forest rights.

How the Community Has Been Deprived of Natural Resources

Receiving the title of community forest rights and exercising the given rights are two different things. Forest dwellers have been protecting and preserving the forest for ages. They have their indigenous plans and programs to continue the same. Many people assume they are destroying the forest, but they actually worship it. How can someone destroy the place they worship along with their ancestors? Additionally, they are aware of the forests' contribution to their livelihood. Unfortunately, the local mafias and middlemen are responsible for forest degradation and have long been exploiting the forest dwellers.

There are several reasons behind the community's deprivation of natural resources, mainly forests. The primary reason is the lack of knowledge and information on Acts, rules, and regulations. Moreover, lack of concern among different stakeholders is also one of the major reasons behind such deprivation. Important stakeholders, including the line departments, legislatures, bureaucrats, Panchayat Raj Institutions members, etc., need to take action to check the deprivation. Due to the lack of willingness among the forest officials, the transit permit pass was not handed to the Gram Sabha (village council), resulting in restrictions on the transportation of bamboo.

Community-led Approach to Exercise Rights Over Natural Resources

3rd March 2013 is a historic day. Jamguda became the first village in the state to legally exercised its community right to harvest bamboo under the provisions of the Forest Rights Act 2006 (FRA). Suddenly an unknown village came into the news when ministers, legislatures, and bureaucrats visited the village. The transit pass was handed over to Jamguda Gram Sabha leader Nilambar Patra on this day. On the same day, the Jamguda Gram Sabha issued the transit pass to the MP, Kalahandi Mr. Bhakta Charan Das. After getting the transit pass, he transported the bamboo from the village by a tractor.

The journey of exercising rights over natural resources was challenging. It was full of hurdles, blocks, and a thirst to achieve the target of exercising the rights over natural resources enjoyed by their forefather. Key incidences of this journey include:

- On 23.06.2012, a local Member of Parliament was not allowed to transport the bamboo. He took the burden to raise the issue because, as per Forest Rights Act, Gram Sabha had rights over the forest.
- The then Tribal Affairs minister Mr. V. Kishor Chandra Deo, wrote a letter to the Chief Minister of Odisha, Mr. Naveen Patnaik, asking to provide a transit permit pass to Jamguda Gram Sabha within five days of the incident.
- Another demand letter was given to Santosh Sarangi, the then commissioner cum secretary, SC/ST department, Government of Odisha, on 05.12.2012.

- The government issued a notification to issue a transit pass against the Gram Sabha under the Forest Rights Act on 28.12.2012.
- On 17.01.2013, a letter was issued to the District Welfare Officer, Kalahandi, and the Divisional Forest Officer, to issue transit passes to the villagers.
- Finally, on 03.03.2013, the passes were handed over to the Gram Sabha in the presence of many dignitaries.

Learning and Conclusion

The chronology of the struggle indicates many vital factors. The critical role played by the villagers, the Gram Sabha Federation, and legislatures can be observed clearly. The villagers' continuous efforts at their level led to achieving the target. Instead of accepting the silence, they preferred to focus on their goal. Timely action always brings results. They knocked on the door of every possible stakeholder. The Forest Department refused to issue a transit pass to the Gram Sabha on 23.06.2012, changed its behaviour, and issued the same on 03.03.2013.

The impact of the struggle is also very interesting. After Jamguda, over 100 villages in Kalahandi district exercised their community rights over bamboo. It would never have been possible for those villagers if not for Jamguda. The effort of a small village inspired so many. In the meantime, the villagers also prepared bamboo forest management with due guidance from experts, including the ranger from the forest department.

According to the plan of Jamguda's Gram Sabha, the entire CFR area of the village will be divided into four parts. Mature bamboo will be harvested from one of these four parts yearly. There are over 12,000 bamboo clumps. The Gram Sabha plans to harvest mature bamboo from 3,000 clumps in the first year. It had decided that each labourer would be paid Rs. 3 per bamboo during the next harvest. It is estimated that a labourer can harvest 50 bamboo a day and earn Rs. 150 per day, a significant amount in this region given sources of income are very limited, and people usually migrate to different parts of India for their livelihood.

According to their bamboo management plan, the villagers will protect the upcoming green flush of bamboo seedlings. They plan to develop earthen mounds around the bamboo clumps. Fire lines to protect the bamboo forest from fires in the summer also form a part of their management plan.

Forest Rights Act acknowledges the historical injustice against forest dwellers. The key stakeholders need to understand the importance of this. For justice to prevail, the historical injustice needs to be addressed. It will open the door for more empowerment of the community in many aspects.

“It was never possible for me to meet my medical expenses if the Gram Sabha didn't support me with Rs. 10,000.”

- ***Rebati Patra, Villager.***

With the revenue generated through the sale of bamboo, the villagers were able to conduct many welfare activities such as cleaning the forest, appointments, and assisting forest guard at the time of bamboo harvest, partial contribution towards the construction of a community hall, assistance for medical expenses, support for marriage expenses, etc. Creating income-generating assets such as light sets, generators, and tent sets is also an important outcome of the revenue generated through the sale of bamboo. They have opened a savings bank account and deposited the revenue generated through the forest.

A few things need to be done to preserve and protect the forest. Since bamboo plays a crucial role in the livelihood of the villagers, special attention is needed in this regard. Key points that need to be taken into consideration are:

- Bamboo clumps need to be protected and maintained. National Rural Employment Guarantee Act funds must be invested in preserving the bamboo clumps instead of regular schemes such as plantation.
- Bamboo crafts need to be emphasized, and programs related to the value addition of bamboo should be undertaken in Jamguda.
- Forest-based income generation programs must be emphasized to promote the governance system.
- A proper village development plan is needed to utilize the funds generated from the forest efficiently. For example, the village school is in critical condition and requires infrastructural work and maintenance.
- Many students and academicians are visiting the village, but there is no proper accommodation for their stay. The Forest Department, R&B department, or other relevant government departments should construct a few guest houses.
- The region can also be developed to promote tourism. It is close to the forest, and tourists can enjoy the area. Academicians, researchers, activists, and students will travel frequently for their respective purposes if proper infrastructural facilities are available in this region.

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Member of Parliament in the Lok Sabha (abbreviated: MP) is the representative of a legislative constituency in the Lok Sabha; the lower house of the Parliament of India. “Recognition of community forest rights and management of bamboo resources: Experience of Jamguda Village”