

Address by
Shri Ch. Vidyasagar Rao
Governor of Maharashtra and Tamil Nadu

at the National Seminar on
**"Governance, Resources and Livelihoods
of Adivasis in India: Implementation of PESA and FRA"**

held at the
National Institute of Rural Development & Panchayati Raj
Hyderabad

on
18th November 2016



S.R. Sankaran Chair (Rural Labour)
National Institute of Rural Development and Panchayati Raj
(Ministry of Rural Development, Government of India)
Rajendranagar, Hyderabad - 500 030

NIRD&PR's VISION

- To focus on the policies and programme that benefit the rural poor, strive to energise the democratic decentralisation processes, improve the operation and efficiency of rural development personnel, promote transfer of technology through its social laboratories, technology park and create environmental awareness.
- As a 'think-tank' for the Ministry of Rural Development, NIRD&PR while acting as a repository of knowledge on rural development would assist the Ministry in policy formulation and choice of options in rural development to usher in the change.

NIRD&PR's MISSION

- To examine and analyse the factors contributing to the improvement of economic and social well-being of people in rural areas on a sustainable basis with focus on the rural poor and the other disadvantaged groups through research, action research and consultancy efforts.
- To facilitate the rural development efforts with particular emphasis and focus on the rural poor by improving the knowledge, skills and attitudes of rural development officials and non-officials through organising training, workshops and seminars.

About NIRD&PR

The National Institute of Rural Development and Panchayati Raj continuously strives to serve the nation through training, research, action research and consultancy activities for development of the rural poor and enhance their quality of life. It aims to:

- Organise training programmes, conferences, seminars and workshops for senior level development managers, elected representatives, bankers, NGOs and other stakeholders.
- Undertake, aid, promote and coordinate research.
- Study functioning of the Panchayati Raj Institutions and Rural Development programmes across the States.
- Analyse and propose solutions to problems in planning and implementation of the programmes for rural development; and
- Develop content and disseminate information through periodicals, reports, e-modules and other publications.

Considering the challenges faced by the Government in the development of a large section of rural poor across the country through its various policies and programmes, NIRD&PR as apex training Institute in the field of rural development has to cater to the training and capacity development needs of a large clientele. To achieve these objectives, a nation-wide network of training infrastructure has to play its rightful role. The clientele include a large number of elected PRI representatives at different levels, rural development functionaries, NGOs, Bankers and other stakeholders. Capacity building of rural development personnel and elected representatives is an intrinsic part of the entire rural development process. It helps to improve their managerial skills while keeping them abreast with the latest changes in strategies, government policies and programmes to augment their knowledge and working efficiency resulting in strengthening of the delivery mechanism for the benefit of all the stakeholders. The challenge is huge and NIRD&PR has been able to play its role in the country's rural development initiatives by facilitating qualitative changes in programmes implementation through a process of training, research, action research, consultancy, information dissemination and information building on a continual basis. This has enabled the Institute to emerge as the National Apex Institute for capacity development in the area of rural development.

In its continuous effort to develop managerial skills of functionaries in rural development process, the Institute started one-year fully residential Post Graduate Diploma in Rural Development Management (PGDRDM) and two one-year PG Diploma programmes in Distance Mode namely, Sustainable Rural Development (PGD-SRD) and Tribal Development Management (PGD-TDM).

Respected Mr. Tevita G. Boseiwaqa Taginavulau, Director General, Center on Integrated Rural Development for Asia and the Pacific (CIRDAP), Prof. R. Radhakrishna, Chairman of the Advisory Committee of S R Sankaran Chair (Rural Labour), Dr. W R Reddy, Director General, NIRD&PR, practitioners from various fields, tribal rights activists, and dear friends,

I am glad that the National Institute of Rural Development and Panchayati Raj has organised the National Seminar on "Governance, Resources and Livelihoods of Adivasis in India: Implementation of PESA and FRA". It is a matter of even greater pleasure

that the Seminar is being organised by the Chair named after S. R. Sankaran, eminent bureaucrat and social activist and a living legend in his times.

The theme of this seminar is very appropriate and relevant. The tribal communities in India have been deprived of their natural rights for a very long time as far as governance, natural resources, and livelihoods are concerned. It is also very pertinent to note right at the outset that any course correction as far as our approach towards tribal communities is concerned cannot ignore the close linkages between guaranteeing access to resources, ensuring self-governance, and creating and

sustaining livelihood opportunities. To put it in another way, to ensure "good governance" in tribal areas, we have to ensure self-governance of tribal communities and safeguard their right to access and manage the community's own resources. Only then we can have any real solution to the livelihoods problem.

It is often said that those who fail to learn from history are condemned to repeat it. Hence, it is necessary to trace the history of tribal dispossession over the last 150 years. We have to recognise that the British ushered in forest laws not for the purpose of conservation, or for environmental considerations. Their prime interest in introducing the Forest Act in

1865 was exploitative and was aimed at establishing a monopoly over forest resources. The impact of forest laws was tragic for self-governing, self-respecting tribal communities. Forests, for these communities, were not only sources of livelihood and sustenance; they were a way of life, a way of worship, and a way of staying in touch with themselves.

It is not surprising, therefore, that tribal communities repeatedly revolted against the British and local exploiters who took away their forests and lands. It is worth noting, that the first major forest legislation was passed in 1865 and the Indian Forest Act, as we know it today, was passed in 1927. Between these two

periods, there were numerous tribal uprisings and revolts. The list of tribal rebellions is long. Many of these revolts were brutally crushed by the British. Such tribal uprisings are a piece of neglected history. Indeed, the tribal movements in pre-independence India were among the first expressions of the desire for freedom.

Unfortunately, even in independent India many problems facing tribal communities remained to be addressed. Settlement of forests were made but the rights of forest dwellers were not settled. In our search for development, we displaced and uprooted millions of tribal persons from their

communities. Estimates suggest that while the percentage of Scheduled Tribes in the population of India is around 8%, their percentage among those displaced for development projects ranges from 40% to 55%. The burden of development fell disproportionately on the shoulders of our tribal brethren; its fruits often did not reach tribal communities.

For tribal communities, PESA and Forest Rights Acts assume immense importance in the context of historical denial of access to forests, displacement, alienation of land, and the denial of acceptance to local governance systems.

Dear Brothers and Sisters,

As far as I understand there are many legislations across the world which have corrected past wrongs. Very few, however, have apologised for a wrong committed. I salute the genius of the Parliament that it had the courage to apologise to our forest dwelling communities, in the Preamble of the Forest Rights Act, for the "historical injustices" that modern systems and laws inflicted on them. Ten years before the Forest Rights Act, the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) was ushered in with great hope. PESA provided a model for "self-governance" for tribal communities in

Scheduled Areas "in consonance with the customary law, social and religious practices, and traditional management practices of community resources."

Friends, it is no secret, that despite its potential to transform Scheduled Areas, PESA was hardly implemented for a very long time. PESA Rules were not published in most states for a very long time. State legislations remained out of line with the letter and spirit of PESA. The autonomy of ownership over minor forest produce was not fully protected by local laws. Due cognizance was not taken of local community practice and cultural traditions. While charting the way forward, we therefore

need to reflect upon our collective failure to implement PESA. We also need to examine whether the provisions of the Forest Rights Act have been implemented in keeping with the letter and spirit of the legislation. The resistance of a segment of the bureaucracy to come in line with the new paradigm of community ownership of natural resources is also a cause for great concern.

When the issue of Fifth Schedule comes up in academic discussions, the role of the Governors in implementing the Fifth Schedule is invariably discussed. The Fifth Schedule lays down responsibilities on the Governor to look after the welfare and advancement of the

Scheduled Areas. In my state, certain humble steps have been taken by the institution of the Governor to ensure the effective implementation of FRA and PESA and for general welfare of tribal communities. A number of notifications have been issued by me, using the power of the Governor laid down in the Fifth Schedule. Some of these notifications have helped bring state legislations in line with the PESA Act. Self-governance requires devolution of funds. Hence, I have mandated that at least 5% of Tribal sub-Plan funds shall be devolved directly to Gram Panchayats and Gram Sabhas. The right of the Gram Sabhas to take all decisions about access, management and sharing of profits with regard to minor forest produce has

been restored to them. The local state legislations with regard to minor forest produce have been amended to ensure that all minor forest produce, including Bamboo and Tendu, now belong to Gram Sabhas. I am glad to note that the district of Gadchiroli has become the beacon for entire country in the implementation of PESA. Hundreds of Gram Sabhas have started exercising their rights over Bamboo and Tendu and earning income ranging from Rs. 10 lakh to about 70 to 80 lakh.

Due to the follow-up from my Office, Maharashtra also stands at the forefront in the area vested under Community Forest Rights with almost 20 lakh acres being handed over to forest dwelling communities for management.

Many villages are coming together for afforestation within these areas. This development comprehensively proves wrong the doomsdayers who said that FRA and PESA would harm forests.

My Office has, through rigorous follow-up, ensured the publication of PESA rules. The PESA rules of Maharashtra are recognised as progressive Rules which answer the aspirations of those in Scheduled Areas. Maharashtra is also implementing the concept of hamlet level gram Sabhas so that Panchayat Raj can filter down to the small Gram Sabhas envisaged at the community level.

Malnutrition among tribal communities has been a cause for grave concern. In order to

allocate greater resources to tribal nutrition, I have amended the National Food Security Act, 2013 in Maharashtra to ensure that in Scheduled Areas children get eggs 4 times in a week and pregnant and lactating mothers get "one full meal" every day. Regular meetings are also taken with various departments of the Government to ensure convergent action on a number of issues such as tribal health, education, livelihood, migration, access to resources, devolution of resources and functionaries, etc. I personally believe that whenever legislations or policies impact tribals unfavorably in Scheduled Areas, it becomes imperative on the institution of Governor to step in for the welfare of tribal communities.

There is a need also to build on the gains provided by FRA and PESA. A lot of

handholding and convergent action is required. It is necessary to ensure agricultural inputs, better irrigation practices, and land improvement, in lands vested under Individual Forest Rights. Tribal communities should also be helped with training about sustainable practices, financial management, and value addition with regard to community forest resources. In view of the importance of bamboo as an important non-timber forest produce, it is necessary for the forest department, agricultural universities, and ITIs to come forward for imparting skill training, value addition inputs, and extension activities. Bamboo has great potential to be incorporated in a variety of traditional and novelty products. I am glad to state that one of the Universities in my state imparted training along with a social

organisation to make Rakhis out of bamboo. I hope that a day will come when many tribal “start-ups” shall arise around bamboo and other minor forest produce in Scheduled Areas of this country.

Dear friends, our first Prime Minister, Pandit Jawaharlal Nehru, had formulated the ideal of Panchsheel. This involved respecting tribal communities to develop along the lines of their own genius, respecting their rights in land and forests, and building a team of dedicated people from within the tribal community for administration and development. Panchsheel also required tribal communities to work through their own social and cultural institutions. Panchsheel also involved judging results not by statistics or the amount of money

spent, but the quality of human character that is evolved. These principles are as relevant today as they were 60 years ago. We have to respect tribal ways of life, appreciate the importance that they attach to nature, and not sacrifice the tribal culture and ethos on the altar of rapid growth.

I am confident that this seminar will find answers to the challenges that confront tribal areas. I wish this seminar and future efforts all success.

Jai Hind!!

About CH. VIDYASAGAR RAO



Shri Chennamaneni Vidyasagar Rao who took charge as Governor of Maharashtra on 30th August 2014 brings with him a vast and varied experience in public life. A senior B.J.P. leader from Telangana, Shri Vidyasagar Rao has served as Union Minister of State for Home Affairs and subsequently as Union Minister of State for Commerce and Industry in the government led by Shri Atal Behari Vajpayee from 1999 to 2004.

Shri Vidyasagar Rao was elected to the 12th Lok Sabha from Karimnagar constituency in 1998 for the first time. In the year 1999, he was elected as President of the State unit of the B.J.P. He was re-elected to the 13th Lok Sabha in the year 1999.

Prior to becoming Member of Parliament, he was elected thrice to the Legislative Assembly of undivided Andhra Pradesh in 1985, 1989 and 1994 from Metpalli assembly constituency in Karimnagar district. He was the Floor leader of B.J.P. in the Andhra Pradesh Legislative Assembly for three consecutive terms.

Born on 12th February 1942, Shri Vidyasagar Rao was an activist of the RSS since childhood. After obtaining B.Sc., he secured LLB from the Law College of Osmania University where he was also elected as President of the Students' Union. He was actively associated with the Akhil Bhartiya Vidyarthi Parishad (ABVP).

Shri Vidyasagar Rao started law practice in Karimnagar in the year 1973. He also served as President of Jansangh and as President of Janata Party, Karimnagar district. Shri Vidyasagar Rao is married to Smt Vinoda and the couple has one daughter and two sons.

S.R. Sankaran Chair

S. R. Sankaran Chair (Rural Labour) is instituted at the National Institute of Rural Development and Panchayati Raj, Hyderabad by the Ministry of Rural Development (MoRD), Government of India with the objective of promoting research on issues that would enhance understanding and help in improving the world of work and the life worlds of the rural labour. Collaborative research, seminars, workshops and policy dialogues involving institutions, organisations, policy makers and other stakeholders with similar objectives, and placing the results in the larger public domain through working papers, articles in learned journals, books and policy briefs are part of the activities set out for the Chair.



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