

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 Panchayat Raj has  
organized 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 organized 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 recognize 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 the 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 Act 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 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!!