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**Conversion of the forest village into the revenue village:
A case of Gajkanhar village, Nagri, Dhamtari district (CG)**

Janisar Akhtar

M.Phil. Scholar, Centre for Development Practice, Ambedkar University, New Delhi, India

Abstract

Forest Rights Act (FRA) has emerged as a powerful legislative tool which, through its various provisions, holds enormous potential to transform the lives and livelihoods of tribals and forest-dependent communities. The government of Chhattisgarh, which claims to protect and safeguard the interest of its citizens by using the rhetoric of 'good governance', has invited introspection of its 'welfare' and 'rights' agenda that has emerged from recent 'political' decision of the State regarding conversion of all forest villages into revenue villages, which followed a top-down and centralized model for executing this decision. However, the speedy nature of the conversion process executed in the State under the broad brush of 'good governance' was a clear political move, and hence left no time for the Gram Sabha and FRC to collectively reflect and respond to the situation. Apart from this, the enthusiasm with which the agenda of the village conversion was pushed in the State has surely served interests of the political class, while this decision for the people of Gajkanhar was another political judgment to be abided by under the cumbersome administrative process.

Key Words: Decentralisation and Governance

Introduction

Centralized practice of forest management in the name of 'national interest' has threatened the lives and livelihoods of the country's poorest of the poor - tribals and forest-dependent communities – for several decades. While several movements and struggles have emerged in response to the State's narrow view of forest management, the recognition of tenurial as well as ownership rights of the community over cultivable land and forest resources, etc., was voiced as the unanimous demands from all corners. Therefore, enactment of the Forest Rights Act (FRA) in the year 2006 was a historic moment for the tribals and forest-dependent

communities. Since the act has recognized them as '*rights holders*', this shift has been the major departure in the history of forest management. Therefore, the Forest Rights Act has emerged as a powerful legislative tool which, through its various provisions, holds enormous potential to transform the lives and livelihoods of tribals and forest-dependent communities.

However, several studies have highlighted that implementation of various provisions of the act meet with stiff challenges on the ground. Some of the implementation gaps are: inadequate understanding and assessment of the community's social and cultural history and their relationship with forest

resources, huge information and capacity deficit, cumbersome administrative and bureaucratic process, lack of political commitment, weak institutional performance etc. On these counts, the government of Chhattisgarh has also become the victim of poor implementation of the act.

The government of Chhattisgarh, which claims to protect and safeguard the interest of its citizens by using the rhetoric of 'good governance', has invited introspection of its 'welfare' and 'rights' agenda that has emerged from recent 'political' decision of the State regarding conversion of all forest villages into revenue villages, which followed a top-down and centralized model for executing this decision. Despite the fact that conversion of a forest village into a revenue village is one of the rights listed in the act, and is supposed to be exercised by the Gram Sabha and Forest Rights Committee (FRC) of the concerned village. Therefore, in order to facilitate the village conversion, Ministry of Tribal Affairs (MoTA) has issued detailed guidelines, mentioning inclusion of all unsurveyed /other settlements on forest landⁱ. However, the government of Chhattisgarh has reversed this process, by imposing their decision on the community, in order to get political mileage.

While the decision regarding village conversion had its political root, the declaration was made to convert 420 forest villagesⁱⁱ into revenue villages. This news became headlines of leading

newspapers. This announcement intrigued me because of two reasons: First, Gajkanhar village – a forest village, mainly inhabited by the *Gond Tribe*, is situated around 11 kilometers on the Nagri- Dhamtari Road. The village happens to be my research site for M.Phil in Development Practice - was proposed to be converted into a revenue village. Since I had spent two months in the village as a part of second field immersion, exploring questions on the issues of forest governance; therefore, my direct and regular contact with the villagers gave me a confidence to follow the conversion processes. Second, development trajectory of the State has followed mainstream notion of 'development', which has followed top-down model of governance and hence largely ignored the rights of its citizens. Therefore, it was very fascinating for me to understand how the State, which has a history of depriving tribal rights, has come to term with recognizing their legitimate rights over forest resources.

Given the two-fold reasoning, the objective of this write-up is to map the conversion process that was carried out in 'Gajkanhar' and ends with throwing up questions, those questions are the ones I was confronted with during my field- research by interacting with the members of SHG, FRC and Gram Sabha, on the axis of 'rights' and 'participation', which cuts across the issues of 'livelihood' and 'governance'. Thus, following steps were undertaken to map the conversion process.

Collecting and analyzing various notifications/guidelines

A mapping of the conversion process began with collecting and analyzing

various orders and guidelines. The flow of government orders and guidelines are represented below:

Table: Flow of government orders for the village conversion

Forest Department, Raipur, CG	Office of the CEO, Nagri , District: Dhamatari	Ministry of Tribal Affairs (MoTA) , GoI, New Delhi
17 – 07 – 2013	11-09-2013	08 – 11- 2013

The above table represents the flow of government's guidelines with respect to the conversion process adopted in the State. In the series of issuing guidelines, two things are worth noticing: first, the conversion was executed as per the guidelines issued by the forest department of the State when the nodal agency for implementing the Act is the Tribal department. While the guidelines provide for recognizing community forest resources (CFR) rights but impose the illegal condition that CFR areas will be managed as per the Forest Department's working plan. This totally nullifies the rights to protect, conserve and manage CFRs under section 3(1) (i) and power to protect forests, wildlife and biodiversity under section 5 of the FRA.

Second, since the State has gone ahead with the conversion process even before MoTA issued its guidelines, significant steps and procedures outlined in MoTA's guidelines were ignored. Those are especially the ones related to inviting a claim for the conversion from the Gram Sabha and forest rights committee

within a period of three months after posting a notice; mapping of the traditional boundary of village; preparing detailed map showing the current and future land use for domestic and other purposes; identifying areas for exercising community forest rights, etc.

Conducting field-level inquiry

The other part of the study aimed at gathering the community's response on the conversion process. While the conversion process was executed with an assumption that it would add avenues for village development, it did not make much sense for the community. For them, this process was merely a shift of control from the forest to the revenue department.

Filing RTI (Right to Information Act, 2005)

In order to gain a deeper understanding about how the conversion process was executed and what all rights and benefits have been granted to the community, information was sought through RTI: (a) a copy of the resolution and

recommendation by the Gram Sabha (b) list of government officials who attended the Gram Sabha (c) list of males and females who attended the Grams Sabha.

In response to our application, the reply we received from the Panchayat had some shocking elements summarized as follows: First, the reply stated that total members of the Gram Sabha are 261 of which men and women ratio is 148: 113 respectively; however, when this number was matched with the voter list of lok sabha election -2014, it was found that total voters of the village are 310.

Second, regarding considering the proposal of the village conversion, the reply stated that Gram Sabha meeting was organised on 16-09-2013 in the village, in which Gram Sabha had rejected the proposal of the village conversion; however, subsequent Gram Sabha meeting conducted on 28-12-2013ⁱⁱⁱ, which was attended by 17 women and 63 men of the villages accepted the proposal of the village conversion and the decision was executed. The amended Rules for the FRA mandate that the quorum for the Gram Sabha meeting must be 50 per cent for the adults and at least one third of those present must be women.

By looking at the facts presented above, it was clear that discrepancies in the figures and over-time changing decisions of the Gram Sabha are quite visible; therefore, it was interesting to understand what had happened between the two gram meetings, which led to change the decisions of the Gram Sabha

from rejecting to accepting the proposal of the village conversion.

In order to explore the above question, I did interact with the members of FRC and SHG in several village level meetings and discussions. They shared that the decision regarding the village conversion has been portrayed to them as if the decision is already taken at the State level by the concerned authorities and the decision would not be altered by the Gram Sabha. Second, they were also told by the authorities that while all forest villages are being converted into revenue villages, and if only one village chooses to remain a forest village, this demand would not be acceptable to the authorities. Therefore, this nature of authoritative and hierarchical communication did not allow the people of Gajkanhar to collectively respond to the situation and they chose to go ahead with the decision of the authorities regarding village conversion.

Mapping of traditional boundary:

Conversion of the forest village into a revenue village could not bring relief to community in their day-to-day struggle of exercising various forest rights. On the contrary, it empowered the forest department to initiate fencing off the CFR areas, which are proposed to be managed as per the forest department's working plans. As an immediate impact, the grazing right of the community was severely curtailed. Similarly, areas which were earlier used for open defecation are not accessible to the community any longer. These couple of

immediate impacts made the community start exploring options to deal with the situation.

However, in this situation, claiming community forest resource right (CFR) has been seen as a legal response to safeguard the resource rights of the community. Since the process of initiating the CFR claims requires the Gram Sabha of Gajkanhar to identify its 'traditional boundary', a joint meeting was setup amongst neighboring villages –Kalleymeta, Jabarra. This was done to resolve an anticipated inter-village dispute over common land, which might happen once the CFR rights of Gajkanhar are recognized. Therefore, taking consent of those two villages, which access the same piece of land for domestic use and other purpose, are seen as a mandatory step for initiating the CRF claim process.

Thus, mapping of the village boundary of Gajkanhar was started with preparing the village map in a village level meeting. The meeting was attended by members of the FRC, SHG and the president of the Forest Protection Committee (FPC). It was shared that the village has six compartment numbers. These are: 270, 271, 272, 273, 274 and 279. Two compartment numbers (274 and 279) indicate settlement areas, where as other four compartment numbers (270, 271, 271, and 273) represent forest areas. Therefore, all six compartment numbers of the village were first identified in the village map that was prepared in the village level meeting, before the actual mapping

could begin. The GPS device mobilized from a local NGO was used for the mapping purpose. Since the FRC members had received trainings on handling the GPS, the mapping was done by themselves in order to retain their ownership of the process and its findings.

The mapping was done in two-phases by mobilizing the local volunteers from the village: In first phase, the total area mapped for the compartment numbers (274 and 279 ~ settlement areas) was 489.19 acres. Similarly, the total village area, covering all six compartment numbers (270, 271, 272, 273, 274 and 279) mapped was 6067.2 acres. Therefore, after subtracting from the total village area of all six compartments the recorded areas for two compartment numbers, it was found that a total of 5578.01 acres of land, which is declared as forest area, are still under the direct control of the forest department. Hence, this vast tract of land (i.e. 5587.01 acres) is proposed to be managed as per the working plan of the State forest department in violation of the FRA. Due to this, instead of benefitting from recognition of rights, the villagers are denied access to substantial forest resources, which they have been accessing for meeting their various livelihood and subsistence needs.

Area allocated to the village (after village conversion)

Subsequently, as per the State Revenue Department's Notification No F 4-37/Seven – 1/2013 dated 01-01-2014

under section 90 read with section 73 of the Chhattisgarh Land Revenue Code, 1959 (No. 20 of 1959), Gajkanhar has been declared as a revenue village. Therefore, after the changed administrative profile of the village and as per the Revenue Department's Notification, the total area of village is 193.155 hectares (482.8875 acres^{iv}), as compared to 489.19 acres. The figures seem to suggest that the total area of the village is calculated considering the compartment numbers - 274 and 279. Now, this has left with the question as to why other four compartment numbers (270, 271, 271, and 273) are not included for calculating the total area of the village. This question has emerged because transition in a demographic profile of any space, be it urban or rural, is a regular feature to be acknowledged, especially when it comes to population increase. Since the village boundary of Gajkanhar has been squeezed and population of the village is increasing, this situation might pose a real threat to the next generation of people of Gajkanhar to meet their livelihood and subsistence needs. Besides, if this situation continues what would happen to the two impacts mentioned above?

Conclusion

Therefore, in light of the above, I would like to mention that the Forest Right Act has the power to transform the lives and

livelihoods of the forest-dependent communities and other traditional forest dwellers through translating various provisions of the act on the ground. However, capacity and information deficit with respect to various provisions of the act at the local level, technical hurdles in preparing claims, inadequate assessment of the complex and over determined reality of the village as well as the community in which deeply embedded poverty, inequality, injustice has a history etc., are blocking our paths to make a real change in the people's lives. While the complex nature of difficulties seizes their opportunities to exercise various rights, they enhance the chances of the State to manipulate the act in order to exercise power and retain control over them, and to serve the interest of a particular class.

Finally, I would like to admit that the speedy nature of the conversion process executed in the State under the broad brush of 'good governance' was a clear political move, and hence left no time for the Gram Sabha and FRC to collectively reflect and respond to the situation. Apart from this, the enthusiasm with which the agenda of the village conversion was pushed in the State has surely served interests of the political class, while this decision for the people of Gajkanhar was another political judgment to be abided by under the cumbersome administrative process.

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 5. Letter No. 425/1218, dated 17th July 2013 (Issued by the forest department of Chhattisgarh)
 6. Letter No/3011/33/2010 FHA, dated 8th November 2013 (Issued by the Ministry of Home Affairs, Government of India, Shastri Bhawan, New Delhi).
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1. The government of Chhattisgarh has violated this provision by not considering the conversion of other forest villages (Saraitola of Nargi block, Dhamtari) into revenue villages.
 2. The figures on forest villages are as per the records of the forest department.
 3. The second Gram Sabha meeting was held after MoTA had issued its detailed guidelines regarding village conversion, yet it was ignored by the State/district authorities.
 4. 1 hectare = 2.5 acres
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