

Nobody can grab land under Forest Rights Act

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BY INVITATION

The issue of encroachments in Devammachi Reserved Forests in Diddalli, Kodagu has thankfully evoked a balanced response from political leaders cutting across party lines. The Chief Minister, the District Minister, the Member of Parliament and the Virajpet MLA have all taken a clear stand that such fresh forest encroachments cannot be permitted while maintaining that poor people would be rehabilitated outside. However, the ill informed actions and statements of the Revenue Minister is a matter of serious concern as it is leading to thousands of ineligible claims under the Forest Rights Act.

So what are the real facts on forest encroachments in Diddalli? The area in question is an integral part of the Devammachi Reserved Forest notified in 1891. In 2012, it was notified as a buffer zone of the Nagarahole Tiger Reserve. Around June this year, some people started clearing intact forests and within no time more than 350 temporary sheds spread over 40 acres mushroomed. The people who occupied forest land were living outside in coffee estates and were not remotely eligible for any forest rights. Some local leaders with vested interests misled them to encroach forests by promising to secure titles under the Forests Rights Act. It has also been alleged



that they collected money from many people, which is now under investigation.

Forest Officials began alerting the district administration and sought support for clearing the encroachments. The Chief Conservator of Forests finally wrote to the Kodagu Deputy Commissioner and Superintendent of Police in October requesting co-operation and support to clear ineligible

encroachments. After interventions to convince people to move out failed, the District Administration and the Forest department were left with no option but to clear the encroachments under Police protection. The people were then accommodated in a nearby school building.

This legitimate action by forest officials to protect valuable habitats immediately came under attack. To justify the

encroachment, it was stated that the people were eligible to get titles under the Forest Rights Act. The truth is that this is not a land grant act as is being made out. It only provides for vesting titles to those tribal people who were in possession of forest land as on 13th December, 2005 and other forest dwellers who have been in continuous possession of forest land for 75 years. This legal position notwithstanding, some activists attempted to confuse the media and political leaders but failed.

While nobody objects to poor people being provided a house and site, accommodating such claims on rapidly shrinking forest land cannot be justified particularly in the context of more than two lakh acres being encroached in Karnataka.

The Centre in December 2015 has admitted in the Lok Sabha that over 47 lakh acres of forest land in the country stand encroached and that State Governments must ensure recovery. If we do not protect the forests of Kodagu from encroachments, tree felling and ill planned development, agitations to secure Cauvery waters would be futile.

Lastly, while the issue of an injured elephant Sidda evoked support from all, the silence or even hostility when it comes to protecting the habitat of elephants from such human pressures is rather ironical.

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