

# Jungle raj

## Confusion over 'joint management' of forests

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**T**he Maharashtra government's latest plan to involve industries and NGOs in its new afforestation programme is well-timed. But if not executed properly it might prove counterproductive to the effective functioning of the Forest Right Act, 2006 (FRA).

As the State minister for forest and environment, Sudhir Mungantiwar, rightly said, the existing policy is not invoking the desired response for afforestation of degraded forests. Joint forest management will encourage industrial establishments and NGOs to undertake afforestation in the vicinity of their working areas.

But critics see the move as an effort to refurbish the Joint Forest Management Committees (JFMCs) — often criticised as handmaidens of the forest department — as part of the tripartite agreement, a strategy which implies scuttling the authority of tribal village panchayats.

### Focal point

Given the history of JFMC and being a State that is at the forefront of FRA implementation, it is essential for Maharashtra to ensure a few basic prerequisites to enable the participation of tribals before initiating a new programme.

The issue of rapid deforestation has become a focal point after the publication of the FRA and a report on climate change vulnerability of forests and forest dwelling communities.

The government's Maharashtra Village Forest Rules, 2014, was struck down by the ministry of tribal affairs (MoTA) because it violates FRA. Meanwhile, the government distributed over 2.40 lakh acres of land. Critics argue that the State failed to take legal action against those whose claims were rejected as they had encroached upon forest lands after the cut-off date of December 13, 2005.

The previous report has also produced statistics on CO2 emis-

sions due to the deforestation; this has been questioned by activists and NGOs for the use of inappropriate methodology. Though village panchayats enjoy authority over the forest and its minor forest produce under FRA, they face challenges from forest and revenues officials over rights.

### Diluted rights

Meanwhile, many States have already diluted the spirit of the FRA by circumventing the powers of village panchayats by enacting new forest laws and acts. The FRA status report published by MoTA in 2012 confirmed that the law has not benefited the majority. And though village panchayats possess the authority to declare any area as forest area, they have to go through sub-divisional, district, and state level committees for approval. Such committees have the representation of forest and revenue officials; still, the State is failing to iron out fake claims and encroachments.

Meanwhile, instead of initiating corrective measures to tackle procedural flaws and corruption, the government has been on a mission to override the powers of tribal village panchayats.

Ensuring the involvement of tribal village panchayats is essential to afforestation. Instead of repeating the age-old revenue-maximising and industry-oriented plantation methods, the indigenous community's knowledge can be used to generate systemic and viable information on traditionally ignored vital aspects of the forest biomass.

Therefore, it is essential for the government to design guidelines in accordance with indigenous biodiversity knowledge and practices before involving NGOs and cooperatives in the programme. Without this, afforestation will be exploited commercially by individual groups.

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