

Forest Rights in Baiga Chak, Madhya Pradesh

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Translating the potential of the Forest Rights Act into reality is a challenge even in regions “meant for” Adivasis, such as the Baiga Chak in eastern Madhya Pradesh, given the weak capacity for collective action, tangled relationship with the forest department, changing youth aspirations, and people’s conception of the environment at variance with some provisions of the act.

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We have been talking about *van adhikaar kanoon* [Forest Rights Act] in our village since 2008. But people are not interested. The forest is not even half of what it was in my childhood; by the time my grandchildren are my age, the forest will be gone and the rivers will have dried up. But what to do, our people don’t realise [this].

—Harisingh Maravi, an Adivasi resident, Baiga Chak¹

The Baiga Chak, an upland region in Dindori district of eastern Madhya Pradesh, is a prime location for the implementation of the Forest Rights Act (FRA), 2006. Not only is 86% of the population Adivasi (Scheduled Tribe),² but an overwhelming majority of them are Baiga, one of 75 particularly vulnerable tribal groups (PVTGs) among India’s several hundred Scheduled Tribes (STs) (Ministry of Tribal Affairs 2017). Moreover, Baiga Chak³ is entirely made up of 52 forest villages established, as elsewhere, since the colonial period, to create a permanent supply of labour for forestry operations (Prasad 1994), and wherein the forest department continues to play a key role in administration. This makes three community provisions in the FRA—community forest resource

(CFR) rights, habitat rights (HRS) for PVTGs, and the conversion of forest villages into revenue villages—particularly relevant to this area.

On paper, the implementation of some of these provisions in Dindori district has been reasonably impressive. Although the forest villages have not been converted to revenue villages, both CFRs and HRS have been recognised, and amount to 62% of the district’s total forest area.⁴ Indeed, Harisingh’s own village has received CFR title deeds for 2,079 hectare (ha) of forestland. Through his association with a local non-governmental organisation (NGO), Harisingh played an important role in making this happen. Where, then, does his lament come from? Does it suggest a dissonance between the experience of FRA on the ground and the record that stands on paper? Drawing upon 17 months of ethnographic fieldwork in the region, this commentary attempts to provide context to Harisingh’s disappointment and offer a glimpse into the Baiga Chak forest dwellers’ understanding of, and attitudes towards, the FRA’s community provisions.

Community Forest Resource Rights

First, we refused to let the labourers chop down the trees. Then we took away their tools, and prevented the trucks from entering the forest. But, now, the unity in the village has broken down. The forest department has successfully altered our minds. Nowadays, when a coupe in our forest is felled, they give money to each household.

Last year, every house got ₹2,500 through the *Samiti* [Joint Forest Management Committee]. Many people also earn wages through coupe-felling. So, there are two factions. One wants to stop coupe-felling. But the other doesn't support them. It is the same in all the villages.

—Ashadhibai Rathudiya, an Adivasi resident.

The forest dwellers of Baiga Chak deeply resent and oppose forestry operations by the forest department in the form of selective coupe-felling, based on the divisional working plan and admittedly according to scientific forestry principles, for multiple reasons. First, the trees that are felled are a valuable source of food, medicine, fodder, and non-timber forest products (NTFPs). They are also seen as repositories of gods, supernatural beings, and ancestors' spirits.

Second, coupe-felling necessitates the preventive removal of full-grown lianas, which entwine two or more trees, and must be cleared to prevent damage to trees other than the ones to be felled. But, like the trees that are felled, lianas are in themselves an important source of food, medicine, and fodder. Their continuous removal has rendered them near locally extinct; this evokes lament and bitterness.

Third, forest patches cleared by selective coupe-felling are often overrun by invasive plant species, including lantana (*Lantana spp*) and parthenium (*Parthenium spp*). Village folk claim that invasives severely inhibit the regeneration of native plant species, including grasses, which make for valuable medicine and fodder. The once dense forest has grown thin, and its vegetation composition has changed. Cattle die over the summer due to lack of forage. Forest department-led afforestation is believed to be unsuccessful. Residents acknowledge that rising human and livestock population, and the thoughtless use of fire by a section of people also contribute to forest degradation. But, in their firm opinion, the forest department bears prime responsibility for the declining state of the forest. "They have cut down the forest and carted it away," is an oft-quoted refrain, brought to life by the recurring sight of timber-laden trucks. This is the primary reason why villagers here seek control over the forest.

From the late 1990s, a number of Baiga Chak villages began to collectively oppose coupe-felling, leading to face-offs with the forest department. After the FRA was enacted, mobilisation by civil society groups and active interest taken by an incumbent district collector led to more than 350 CFR rights claims being recognised by 2011. However, as shown by Shiba Desor (2013), many CFR title deeds were riddled with discrepancies. The titles represented an administrative view of the forest, and listed forest compartment numbers instead of natural boundary markers such as streams, cliffs, tree-clumps, etc, which are more representative of the manner in which forest dwellers experience the landscape. Hence, important forest areas were left out and the coverage was less than asked for.

Furthermore, the titles referenced the Indian Forest Act, 1927, and entrusted community rights to the joint forest management committee (JFMC) rather than the gram sabha. Thus, the forest department's overlordship was retained, and coupe-felling operations continued in CFR areas. However, most villages have neither fought back vigorously nor actively engaged in CFR management. This is what Harisingh's lament alludes to. However, as examined below, there are several reasons for the lack of interest in CFR rights.

Why No Collective Action?

First, the readiness for collective action in the Baiga Chak has diminished. A significant factor is the gradual withdrawal of NGOs and activist groups from Adivasi mobilisation, triggered by a lack of funds leading to retrenchment of field staff, or diversion of attention to other issues, such as the construction of toilets under the Swachh Bharat Abhiyan. As Phagus-ingh, a Baiga Chak resident who actively participated in protests against coupe-felling, pointed out,

Someone or the other from the *sanstha* [NGO] would visit, and we would meet every fortnight, one person from each house... We developed the courage to articulate our feelings about the forest. That is how solidarity was built. But then they stopped coming, and we stopped meeting. So, our unity and courage eroded because we were no longer discussing issues face-to-face.

Simultaneously, a rise in intra-village factionalism too evolved, as Ashadhibai points out. Although coupe-felling continues to evoke resentment, it has also become an important source of livelihood. One-fifth of the profits from the forest department's timber sale are paid back to each household through the JFMC, providing valuable cash income.⁵ Community solidarity is attenuated by differences of opinion even within a single extended family. In a society where reciprocity is crucial for upholding social status as well as livelihoods,⁶ the larger need to maintain harmonious relations with kinsfolk and neighbours undermines the potential for collective action with respect to the forest. The weakening of community resolve is an important reason why interest in post-CFR management does not coalesce in the Baiga Chak.

Second, Baiga Chak residents experience limited autonomy to exercise CFR rights. The relationship between forest dwellers and the forest department is a complex one. The forest department is resented for destroying the forest but valued as a provider of livelihoods. Overall, it is regarded as an authority to be feared and not to be overly messed with. For instance, in mid-September 2016, four Baiga Chak residents were arrested for poaching and animal skin smuggling. Popular perception was that the men were framed for raising objections to forestry operations. Meanwhile, face-offs over coupe-felling in CFR areas are often followed by a threat of arrest for obstructing government officials on duty. Coupe-felling operations continue year after year in different parts of the forest. Occasionally, successful village protests may cause coupe-felling to stall, or at least felling of fewer trees. But, the forest department is back again in a different part of the village forest in a year or two. This results in a war of attrition: repeated face-offs wear down community resolve, promote factionalism, and blunt the motivation for post-CFR management.

Lastly, aspirations among youth across the region are changing, and this has implications for people's relationship with the environment. Communication and education infrastructure in Baiga Chak has expanded over the past decade.

Many Adivasi youth migrate to places ranging from Chhattisgarh to Kerala, and acquire a taste for urban lifestyles. More Adivasi youth are completing school education than ever before, often in newly-expanded state-run hostels in the foothills. Here, they form mixed peer groups that alter their world views, often desiring to train in computers or nursing, and coveting white-collared jobs or entrepreneurial vocations. Living in the Baiga Chak is often seen as a hindrance to their ambitions. Complaints such as “I need to make an online application for the police constable exam but there is no [inter]net here” or “I was doing a computer course in Dindori but had to skip classes to return and help with the threshing” are soon becoming commonplace. Consequently, Baiga Chak youth may not share the same interest in the forest, or even agriculture, as their elders.

Habitat Rights

As the nomenclature suggests, PVTGs are perceived to be exceptionally vulnerable to threats to their well-being (NAC nd).⁷ The HRS provision in FRA seeks to address their professed need for special protection by recognising their rights to land and habitat. The Ministry of Tribal Affairs (MoTA) interprets the provision expansively, stating that HRS imply the right to “customary territories used by PVTGs” for dwelling as well as “livelihoods, social, economic, spiritual, cultural, and other purposes” (GoI and UNDP nd). Civil society assessments highlight the imperative for HRS to be framed with due sensitivity to the “existing age-old cultural and traditional practices of the community” (Nayak 2015).

The Dindori district administration announced the recognition of HRS in Baiga Chak in end-2015, an event that heralded much excitement but quickly gave way to disappointment. A scrutiny of the HR title deeds brought out critical discrepancies, which undermined the administration’s own extensive year-long consultative effort. For example, the deeds do not specify that the HRS recognised are those of the Baigas. They are issued in the manner of earlier CFR titles, one deed to a village, listing forest compartments specific to the village. The HRS

for four villages are confined to forest compartments adding up to 60 ha or less in area, containing only settlement and cultivation with little or no forest. Baiga representatives expressed disappointment over the gross mismatch between the area mapped and the HR title deeds. Meanwhile, discontent set in within weeks, on the ground, as the forest department commenced coupe-felling operations. To its credit, the district administration has taken cognisance of the issue.

However, the concept of HRS itself is little understood by Baiga Chak residents. Even representatives who were part of the claims-determining process could not answer what HRS meant, and gave tangential responses. For instance, Jet-hoosingh of Ajgar village believed that “the collector is with us. She says you can go where you want in the forest. Nobody will stop you.” And, according to Chhotelal of Jeelang, officials “declared that the entire forest which we [Jeelang residents] have been protecting will be given to us, and there will be no more coupe-felling.” This is unsurprising because Baiga Chak residents do not necessarily envisage their environment in the same abstract form that HRS connote.

HRS assume a bird’s-eye view of the forest, envisaging it as a vast territory historically occupied by a single “tribe,” and, therefore, a repository of longstanding custom. This does not resonate with the average Baiga’s historical experience and contemporary view of the forest. Genealogical enquiries suggest considerable migration in and out of Baiga Chak in the past, with itinerant Baiga and Gond Adivasis gradually settling down in forest villages because forest laws precluded cultivation outside areas demarcated by the forest department. The Baigas do not see the Gond and other Baiga Chak communities as outsiders. They share amicable relations, and have even incorporated them into Baiga myths of creation. As a result, the Baigas do not think in terms of an exclusive Baiga territory which HRS tend to imply despite the clarification that “the habitats of PVTGs may overlap with forests and other rights of other people/communities” (GoI and UNDP nd). Furthermore, the Baigas have transformed from hunting-foraging swidden

cultivators (Prasad 1998) into sedentary agriculturists with attendant changes in cultural practices. Hence, “custom” itself has been in a state of transmutation; past practices may or may not be relevant to the present. Lastly, as noted earlier, young people’s world views are changing; hence, conceptions of habitat are likely to change too. This is not to downplay the empowering potential of HRS but to suggest that the provision may be introducing new ways of envisioning the landscape for Baiga Chak forest dwellers that may not match their perceptions, and, hence, will have to be addressed slowly and judiciously.

Conversion into Revenue Villages

The forest department is strict; the revenue department is not. If the forest villages are converted into revenue villages, outsiders will move in, and adivasis, naive and trusting that they are, will be exploited.

—District Coordinator,
National Institute of Women, Child and
Youth Development,⁸ Dindori

The traders are just waiting for an opportunity [to open shops and settle inside the Baiga Chak]. Right now they can’t because of the forest department. Despite this, they manage to lure our adivasi girls.

—Baisakhoosingh Markam,
Adivasi resident and
ex-elected representative

The conversion of forest villages into revenue villages, a provision of the FRA, has been repeatedly pushed by the Union Ministry of Tribal Affairs (2013) as well as FRA interest groups (Desor 2013). In response to a parliamentary question in May 2016, the union minister of tribal affairs stated that 925 forest villages in Madhya Pradesh (out of a total of 1,165) were in the process of being converted into revenue villages under FRA provisions,⁹ although it is not clear if this includes Baiga Chak villages.

But, in Baiga Chak itself, this FRA provision has been regarded with indifference. Most residents remain unaware of the provision in the first place, and are not in a position to express an informed opinion. Some believe that the forest guard is easier to deal with than the *patwari* (revenue official). Among those relatively better-informed, namely, activists and Adivasi-elected representatives,

the forest department is seen as a custodian of Adivasi interests in preventing exploitation by outsiders, especially non-Adivasi traders, who can, at present, only set up temporary stalls inside Baiga Chak villages on market days. In their view, non-Adivasis are also likely to cause extensive environmental damage by clearing the forest, and extracting forest resources for commercial gain. The general opinion is that the forest department is quick to evict encroachers, and that this is in the Adivasi interest. This is ironical given the heated emotion that the forest department evokes in other contexts. However, it is accounted for by the fact that non-Adivasi businessmen are intensely distrusted for their shrewd and rapacious tendencies. It also poignantly indicates that, over time, Baiga Chak Adivasis have become so deeply enmeshed in a condition that renders them reliant on the state that they are unable to conceive of a situation where they would be in control of their own village, let alone destiny.

Conclusions

This worm's-eye view from Baiga Chak suggests that the forest dwellers' experience and attitude towards the community provisions of the FRA is shaped by (i) the capacity for collective action, in which civil society mobilisation plays an important role; (ii) the complex relationship with the forest department, who is resented in the role of overlord and "forest destroyer" but desired as a provider of livelihood and security; (iii) the changing aspirations of educated, widely travelling youth; and (iv) the mismatch between people's conceptions of their environment, and that of the FRA.

The insight from the Baiga Chak experience for effective implementation of the FRA's community aspects may be two-fold. First, local conceptions of the environment may be distinct and diverse. An initial step may be for civil society and administrators to adjust and fine-tune their own perceptions with those of forest dwellers on the ground. This may require sustained grass-roots engagement, including a spell of handholding and necessitating a three-way dialogue. Second, the FRA not only empowers local

communities but also civil administration since implementation is routed through the tribal development department and overseen by revenue officials. In locations such as Baiga Chak, administrators need to use this power to ease the hold of the forest department, and to help historically disadvantaged communities eventually grow out of the conditions of their own marginalisation, which arise far more from a culture of enforced dependence upon the state than from poor material conditions. After all, true "development" may not lie so much in improving material well-being alone as it would in enabling people to collectively take informed decisions on their own.

NOTES

- 1 All names have been changed to protect identity.
- 2 Figures compiled from the 2011 Population Census.
- 3 The Baiga Chak, which has acquired an expansive geographical connotation over time, originally centred on seven villages, and was created as a reserve in 1890 by the colonial Central Provinces government to contain shifting cultivation by the Baiga (Elwin 2007).
- 4 The records of the assistant commissioner, tribal development, Dindori show that CFRs and HRs together account for 1,44,020 ha out of 2,30,746 ha of forestland in the district.
- 5 Cash income has risen in importance, and, ironically, forest degradation is an important reason. For example, scarcity of medicinal plants has increased dependence on allopathic medicine, usually administered by quack doctors in the foothills.
- 6 Reciprocity ensures that social status is maintained through communal assistance and participation in events such as weddings and funerals, and in critical rites and rituals that require collective propitiation of the gods. In material terms, reciprocity enables neighbours and kinsfolk to borrow seed and oxen during

the critical sowing season; enlist agricultural labour; collectively harvest forest produce; and construct houses.

- 7 See NCST (2010) for a description of PVTGs. The categorisation of PVTGs reflects a view, which is unfortunately, patronising.
- 8 National Institute of Women, Child, and Youth Development is an NGO engaged in active FRA mobilisation in the Baiga Chak.
- 9 Starred question No 104, Lok Sabha, 2 May 2016, retrieved on 21 April 2017 from <http://www.indiaenvironmentportal.org.in/files/file/forest%20villages.pdf>.

REFERENCES

- Desor, Shiba (2013): "Community Forest Rights under Forest Rights Act: Citizens' Report," Pune, Bhubaneswar & Delhi: Kalpavriksh, Vasundhara & Oxfam India.
- Elwin, Verrier (2007): *The Baiga*, New Delhi: Gyan Publishing House.
- GoI and UNDP (nd): "Frequently Asked Questions on the Forest Rights Act," New Delhi: Ministry of Tribal Affairs.
- Ministry of Tribal Affairs (2013): Conversion of All Forest Villages, Old Habitations, Unsurveyed Villages, Etc into Revenue Villages under Section 3(i)(h) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, 8 November.
- (2017): "Name of the Particularly Vulnerable Tribal Groups (PTGs)—State/UT Wise," Ministry of Tribal Affairs, <http://tribal.nic.in/ST/StatewisePVTGsList.pdf>.
- NAC (nd): "Development Challenges Specific to Particularly Vulnerable Tribal Groups (PVTGs): Recommendations of the National Advisory Council," Ministry of Tribal Affairs, <http://tribal.nic.in/writereaddata/AnnualReport/NACRecommendationsforPVTGs.pdf>.
- Nayak, Subrat Kumar (2015): "Habitat Rights," *Habitat Rights Newsletter*, Vol 1, No 1, pp 1–8.
- NCST (2010): *Fifth Report of the National Commission for Scheduled Tribes*, New Delhi: National Commission for Scheduled Tribes.
- Prasad, A (1994): "Forests and Subsistence in Colonial India: A Study of the Central Provinces, 1830–1945," doctoral thesis submitted to Jawaharlal Nehru University, New Delhi.
- (1998): "The Baiga: Survival Strategies and Local Economy in the Central Provinces," *Studies in History*, Vol 14, No 2, pp 325–48.

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