

Conference of Adivasi Bharat Mahasabha (Unity Forum)

Udaipur 14th- 15th September



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A two day Conference was organised by Adivasi Bharat Mahasabha on 14th and 15th September 2022 at Astha Training Centre Udaipur to deliberate on issues facing Adivasis across the country. The meeting was attended by representatives of different Adivasi Organisations , CBOs and NGOs from the States of Rajasthan, Gujarat, Jharkhand, Uttar Pradesh and Delhi.

The conference deliberated on the issues facing tribals and forest dwellers staying/ dependant on National Parks and Sanctuaries. Experiences from the State of Uttar Pradesh, Rajasthan and Jharkhand were shared. The experience listed out the atrocities faced by adivasis staying in/ dependent on forests in the name of protection of sanctuaries and National Parks. These included jail, torture, seizure of forest produce, destruction of agriculture produce in fields and cases related to violation on Forest Act 1927 and Forest Conservation Act 1980. The participants from Dudhva National Park, representing All India Union of Forest Working People (AIUFWP) and Tharu Adivasi Mahila Mazdoor Kisaan Manch narrated the mass mobilisation and political actions taken by them to thwart the repression, jail and torture heaped on them by the Forest Department forcing the government to grant Community Forest Rights to 46 villages in Dudhva National Park. Participants from the sanctuaries of Sariska, Mukundara and Phulwari Ki Naal talked of the nature of denial of Forest Rights, repression faced under 1927 Forest Act and 1980 Forest Conservation Act. The process of filing of RTIs in Bhensrodgarh Wildlife Sanctuary was narrated as a strategy to generate proof of the steps taken/denied in respect of the Forest Rights Act by the Panchayat/ Block and District level functionaries. As a result of these actions the process of initiating rights in sanctuaries was begun though claims are still to be recognised. In Jharkhand the issue of denial of forest Rights in Betwa National Park was raised as also the harassment being faced by the forest dwellers and forest dependant communities for which legal back up support was being provided.

The experience of Fenai Mata Revkhand Jaiv Srishti Mandal from Chhota Udepur was shared as a model developed to assert community rights over over the biodiversity resources and forests of the region. Despite this mass assertion of community rights over the biodiversity, the legal status is that rights are still being denied or at best limited rights have been granted to a few communities. The Federation is deliberating on its next course of action at the ground level while simultaneously focusing on the primacy of community assertion of rights in the region.

Representatives of fisher organisations from Jaisamand, Mahi and Jhakham lakes of Rajasthan shared the issues faced by them. In particular they highlighted how conditions have deteriorated after Rajas Sangh withdrew support to the local fisher communities and how urban demands on the water of Jaisamand Lake was damaging the livelihoods of the fishing community. These organisations are sharing their issues on the National Platform for Small and Traditional fishers taking responsibility for mobility other fishing communities as well.

The new Forest Conservation Rules 2022 were discussed in depth with the help of a detailed expose of the legal issues by Adv. Chitta Behera from Odisha. In his presentation Adv. Chitta Behera pointed out how the new Forest Rules 2022 were a violation of the principles in the Forest Conservation Act itself due to the fact that the burden of ensuring compliance of the

Forest Conservation Act has shifted to the State Governments instead of the gram sabha for getting Stage 2 clearance. This violates the Act itself which was created to grant dual control to the Centre and the State with the idea of ensuring protection of the Forests. The fact that administrative processes can undermine the law itself is also a perversion of the process of law, undermining its very foundations in this country. With respect to PESA it was pointed out that there is no provision in the law to have guidelines by every State, so if the Gram Sabha makes it's own guidelines that is sufficient as has been proven by experiences from different parts of the country. Similarly Section 13 of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 states that it is '*not in derogation of any other law*'.

Save as otherwise provided in this Act and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force'. This provision makes it clear how this law needs to be looked at. In the discussions that followed Adv. Chitta Behera's exposition, it was pointed out that the two stage strategy worked out by ABM (UF) to deal with State repression would use these legal provisions in law to strengthen grass roots movements across the country.

Rajasthan Mazdoor Kisan Union shared its journey over the last ten years in raising issues related to unorganised sector labour, farmers and tribals. A number of members of RMKU are actively involved in dealing with FRA issues in Mukundara, Bhensrodgarh and Phulwari Ki Naal Wild Life Sanctuaries. The meeting concluded with a detailed exposition on the promise and potential of FRA by IELA and its implications in the States of Rajasthan, Gujarat, Uttar Pradesh and Bihar. The presentation highlighted the poor performance in relation to the potential and called for a more comprehensive and concerted effort at the District, State and National levels to give shape to the issues emerging from the ground.

List of participants:

S. No.	Name of the participant	Organization
1.	Tarun Kanti Bose	Akhi; Bharatiya Mazdoor Kisan Sangharsh Samiti, Delhi (ABMKSS)
2.	Prabhat Sinha	Rajasthan Mazdoor Kisan Union (RMKU)
3.	Govind Lal Meena	IELA, Jaisamand
4.	Ratan Lal	Uparmal Kisan Mazdoor Shakti Sangathan, Bhilwara
5.	Babu Lal Meena	UKMSS, Bhilwara
6.	Kajrod	UKMS, Bhilwara
7.	Hemant Das	Jharkhand Mazdoor Kisan Union (RMKU)
8.	Nandu Bai Rathva	Adivasi Jan Utthan Trust, Bhekadiya (AAJ)
9.	Shanna Bhai Bhil	AAJ, Bhekadiya
10.	Dhanraj Regar	RMKU
11.	Daya Ram	Sariska Pashupalak Sangh
12.	Sukhram	Sariska Pashupalak Sangh
13.	Sardarmal	RMKU
14.	Himmat Chand Lal	RMKU/AITUC
15.	Viren Lobo	IELA, Udaipur
16.	Dinesh Hiralal	RMKU
17.	Laxmi Chand	RMKU
18.	Nana Lal Garasiya	RMKU, Jhadol
19.	Savita Devi	JMKU
20.	Sahvaniya	All India Union of Forest Working People (AIUFWP)
21.	Nibada	AIUFWP
22.	Sunil Dubey	IELA, Udaipur
21.	Lucas Korda	JMKU
22.	Balchandra	Matsya Utpadak Sahakari Samiti, Banswara
23.	Bheru Lal	MUSS, Nimbaswada
24.	Kailash Bhil	RMKU
25.	Nanu Ram	RMKU
26.	Ladu Ram	RMKU
27.	Sadai	AIUFWP
28.	Madhubala Meghwal	RMKU
29.	Seema Kumari	RMKU
30.	Banshi Lal Sharma	RMKU
31.	Kamlabai	RMKU
32.	Ram Lal Bhil	RMKU

