

AIFF-RS Statement on the Supreme Court Order asking for eviction of Forest Dwellers

Resonating with the Nation wide outrage and protest against the latest Supreme Court Order asking States to report action for eviction of those whose FRA claims have been rejected, All India Forum For Forest Rights Struggles too demands an immediate review of the order.

AIFF-RS notes with pain the fact that not only has the Government failed to defend the rights of the tribals, the Supreme Court has failed to properly apply the provisions of the Act in the course of its hearing the case. Instead of chastising the government for wrong implementation of the Act with an almost near neglect of Community Forest Rights claims (leave alone the fact that State Governments have done little or nothing to ensure that such CFR claims were filed), the SC has instead chose to warn the State Governments that serious note will be taken in the case of non compliance with regard to eviction of forest dwellers whose claims have been rejected.

It is well known that in State after State, there have been protests regarding improper application of mind with respect to rejection of claims filed and hence in no State can it be said that the process of rejection has been finalised at all. Why then is the SC demanding that State Governments file a report on the Status of completion of the rejection process. Why is the SC not asking instead that action be taken to ensure the filing of CFR claims which would alone protect not only the rights of forest dwellers but also the forests themselves.

It is also well known to the Wildlife lobby who have filed the case in the first place that the major destruction of the forest has taken place through mono-cultures, tourism, diversion of forests for mining and other development requirements (keeping Corporate interest in mind). Why then they have chosen to target FRA which is not merely a recognition of the fact that historical injustice has been committed to Forest dwellers, it is also a recognition that the forests themselves cannot be saved without the active cooperation of the people. Clearly the nexus between Corridor form of Development and the Creation and preservation of wildlife corridors can be seen as the price extracted by this lobby for their silence on the real causes for the destruction of the forests.

AIFF-RS demands that not just the order be reviewed, the entire nexus between the draft Forest Policy, CAF 2016 and wrong implementation of FRA be reviewed as well and stringent order passed that the letter and spirit of the FRA be implemented though the systematic promotion of CFR and related processes which would include the wherewithal to local communities to restore the Forests that have been destroyed keeping in mind the multifarious traditional uses that the forests have been put to.

Xavier Kujur

Convenor AIFF-RS