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## [Urgent: Forest rights movements in India need support](#)

Forest rights movements in India need support to prevent the commercial takeover of forests from the forest communities for monoculture tree plantations.

Please find below a petition. **Urgent signatures of both organisations and individuals would be very welcome. Deadline for endorsing the letter is Friday 14!** Send your endorsement to the following email:

sanghamitradubeyikk(at)gmail.com

If you wish to read background information about this case, [click here](#) .

### **APPEAL TO HON'BLE CHAIRMAN OF THE PETITIONS COMMITTEE RAJYASABHA**

Shri Prabhat Jha

**Hon'ble Chairman of Petitions Committee**

**Parliament of India**

Dear Sir,

One year ago, the Compensatory Afforestation Fund (CAF) Act was passed (on July 26, 2016) in both houses of Parliament. The provisions of this Act directly and indirectly impact the rights and livelihoods of crores of adivasis and forest dwellers in India. Further, this law threatens the constitutional rights of adivasis and forest dwellers under Article 300A of the Constitution as well as their rights under sections 3(1), 4(5) and 5 of the *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act* (henceforth Forest Rights Act or FRA). In its current form this Act incentivises forest officials to engage in criminal atrocities against these communities by encouraging plantation and other activities on lands that already belong to these communities. We can provide detailed legal and factual examples of where this has occurred if desired by the Committee.

Despite these facts and despite an explicit assurance to Parliament from the Hon'ble Minister of Environment and Forests, till date no action has been taken to ensure that this law respects the legal rights of forest dwellers. Indeed, objections were strongly voiced against the CAF Bill both by organisations outside Parliament and by the opposition in the Rajya Sabha. The opposition parties

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moved amendments in the Rajya Sabha to:

- include specific provisions to safeguard rights of scheduled tribes and other forest dwellers recognized under the Forest Rights Act.
- ensure that CAMPA projects be implemented only after completion of recognition and vesting of forest rights under Forest Rights Act and after obtaining the informed consent of the right holding Gram Sabhas.

These amendments were necessary to ensure the CAF Bill's compliance with the Forest Rights Act.

The Bill was only passed after the then Hon'ble Minister for Environment, Forests and Climate Change assured the opposition parties as under (full text in annexure):

***...if the expenditure is to be undertaken on the land covered by the Gram Sabha in areas which are covered under the Scheduled Tribes and Other Traditional Forest Dwellers Act, 2006, the rules would provide for necessary consultation with the Gram Sabha. The procedure for effective consultation in formulation of the projects and the expenditure to be undertaken will also be specified in the rules.***

***... I would also assure the House that in case the rules are not found adequate in addressing the issues, we will re-visit them after a lapse of a year or so."***

It was only after this assurance that the proposed amendments to the Bill were withdrawn, and the Compensatory Afforestation Fund Act, 2016 was passed.

However, till date Rules under Section 30 of the said Act have not been notified even as one year has passed since its enactment.

Meanwhile, *Compensatory Afforestation* and coerced relocation from protected areas using CAMPA funds is continuing at a rapid pace. Reports from different parts of the country indicate that the State forest departments are forcibly undertaking afforestation in both individual and community forest lands, including lands over which titles under the FRA have been granted or are under process despite vehement opposition from the Gram Sabhas of forest rights holders. The assurance given by the Hon'ble Minister Late Sh. Anil Dave is, therefore, rendered meaningless and false.

We as concerned citizens, therefore appeal to you to take up this matter with the Ministry of Environment and Forests and direct them to immediately halt any expenditure of compensatory afforestation funds until the Rules under this Act are notified and brought into compliance with the Forest Rights Act.

(Copy marked to Chairperson Assurance committee , Minister of MoEFCC and Minister MoTA)

Warm Regards,

