

CHAPTER – II

AN OVERVIEW OF LITERATURE

2.1 Introduction

The overview of literature is divided into three parts to understand the perspectives placed by the different sections of people of the society who opine, write, love and agitate for the rights of wild animals as well as of human. Some of them frame policies for forest and some act as pressure group in policy framing and altering existing policies and Acts. It is witnessed that wildlife activists as well as human right activists are often entrusted with the duty of framing the drafts of Acts and policies on forest; so there is a possibility of overlapping of thoughts between these groups while representing a particular group. Other than the activists the academicians influence the process of opinion making. In this chapter opinion of the academicians are sub-divided according to their present theoretical content in the mentioned paper. Sometimes the foresters (i.e. the forest bueorocrate) are also assigned with the duty of framing forest Acts. However, the custodian of any policy or Act is ultimately the State and also the implementing agency of the said Act is also the State. So the State's views and observations expressed through different literatures are vital in this discussion.

2.2 Policy makers and planners view

The study by Barnosky (2012) argues that unexpected change in local level ecological environment is not rare, but the same unforeseen change of radical nature may happen to the whole planet. This transition or change is described by him as catastrophic change in any system and he emphasized that it happens due to human intervention. One of the main interferences is of course, deforestation that forced the Earth to its present probability. The study emphasizes the necessity to address root causes of how humans are forcing biological changes. This is, however, not the first time that scientists warned the human being regarding the danger of too much interference in the sphere of biological environment (Barnosky, 2012). The study compels the society to seriously ponder over the human interference on the eco-system in the form of green house gas emissions, pollutions of different kinds and deforestation.

During the annexation of forest into state's fold the British viewed the traditional uses of forest by the communities as wasteful and detrimental for forest's ecology. The early writings of British foresters suggest that they probably failed to understand the

traditional livelihood of the forest dependent communities and for that matter the symbiotic relationship between the communities and nature. They prescribed creation of reserves for uninterrupted supply of timber to the whole of British Empire. The level of extraction of timber was so enormous that even the British foresters expressed their shocks during the colonial period (Stebbing, 1922). However, in this connection it must be mentioned here that the same commercial extraction of forest resources helped the forest dependent communities to stage a comeback to the forest to do different types of forestry works. The concept of establishing forest villages got going in Indian forests.

The National Forest Policy 1952, (APFD, forest.ap.nic.in) the first independent forest policy of the country; started with an introduction, which explains the causes of destruction of forests. The causes are enlisted in the following manner; (i) the needs of the two world wars and (ii) heavy dependence of industries on forest. However, instead of addressing the causes of forest destruction the policy presented a special thought on the traditional forest use of the forest dependent communities and prescribed several regulations on their livelihoods which were believed by the policy makers as to be detrimental to forest's ecosystem. The policy pronounced that the forest, is '*a national asset*', so it cannot be left to free ride for the local forest dependent communities. As a result, the policy suggested a stricter approach on the erstwhile privileges and concessions (during British period) enjoyed by the local communities. The rights and privileges were respected where commercial value and ecological importance of the forest was less. The policy also recommended allowing the rights and privileges wherever the forest has the carrying capacity; and it should be calculated on the basis of scientific knowledge of forest. However, the policy forgot to control low-priced supply of forest raw materials to industry which it accuses as one of the main reasons behind destruction of forest. Ironically, it emphasized on the uninterrupted supply of timber to industry, defense, and transportation departments. The National Forest Policy 1952, recommended ban on all sort of shifting cultivation (heavily practiced in North Eastern India including North Bengal) and suggested to use the technique of shifting cultivation in forest plantation. The policy seriously regulated the age old profession of cattle rearing by forest dwellers as it laid down a stricture on grazing, restricting it to rotational grazing, charging a fee and banning or minimizing grazing in Protected Forests.

With the enactment of Wildlife protection Act, 1972 the conservationists in India put a firm step forward. It took roughly two decades to make the political environment

favorable for the legislative intervention in this direction. Among the pioneer top brass whose name deserved to be mentioned here are S.P. Shahi of the state of Bihar and Saroj Raj Chaudhury of the state of Orissa, both these officers were powerless until the ban on tiger shooting on July 1970. Among the politicians, the then Prime Minister Indira Gandhi's name comes in the fore-front. She had a personal relationship with several conservationists and wildlife enthusiast bureaucrats of the era. Among the bureaucrats one was M.K. Ranjit Sinha an officer of the Indian Administrative Service and the other was Kailash Sankhala, a forester who was a strong critic of hunters and commercial forestry. Mr. Sankhala presided over the nationwide effort to assess the number of tigers in the forest and preserve it in the wild. And Ranjit Sinha played a very crucial role in drafting the new law, the Wildlife Protection Act of 1972 (Rangarajan, 2012) A new conservation effort came into being with the launch of 'Project Tiger' in the year 1973, at that time it was the leading wildlife conservation Project in the World. It took another ten years to declare Buxa forest as a Tiger Reserve in the year 1983. Researchers across the country viewed this conservation effort i.e. project tiger as an appropriate one as it calls to save the top predator of the jungle. The logic put forwarded by them is, if one aims to save the top predator automatically saves the other wild lives. However, this conservation philosophy discourages productive forestry i.e. a forestry activity which focuses on plantation and harvesting of commercially valuable timber. As a result of this the forest villagers whose primary work was plantation and harvesting of timber became redundant in the forest. The new conservation philosophy became popular across the country, nearly 5 percent of the country's land mass (quality forest) falls under this category of forest. The protected area network is increasing at good speed in India (ibid.)

The Wild Life (Protection) Act, 1972 came into force with the objective of effective controlling of poaching and illegal trading of animal body parts. In order to save the wild lives this Act brought such stringent provisions that it virtually stopped one of the main economic activities of the forest villagers. The Act has borrowed many processes of settlement of land rights and forest use rights which were pronounced in the Indian Forest Act, 1927. It also brought two new concepts in the Indian forestry policies, the Wildlife Sanctuary and National Park. The sections 18-24 of the Act state that the state government by notification can declare any forest as wildlife sanctuary if it considers that the area is ecologically rich and need to be conserved. Notification is also done to register whatever rights (land or customary) local people have on that forest. It is

a complex process of determination of rights (MoEF, 2012). As a result many forest dependent communities including forest villagers got separated from the resource base they depended upon (for detail see chapter III).

At the beginning of the 20th century, the tiger population in India was roughly 40000, which dwindled down to 1827 in 1972. This report forced to bring the concept of 'project tiger' in 1973. Presently there are 48 tiger projects in the country. The tiger reserves were designed in core and buffer strategy. The core areas were freed from all types of human activities and the buffer areas were subjected to "*conservation-oriented land use*". Management plans were drawn keeping in mind that all form of human exploitation and biotic pressure are eliminated from the core area and standardization of activities are done in the buffer area. This approach is thought to provide a support system to wildlife protection, with the help of the systems like wireless communication, outstation petrol etc. It is also believed that the voluntary village rehabilitation from protected areas will be possible by a mutual understanding between forest villagers and forest department and it will improve the carrying capacity of the reserves. There are other plans like the introduction of high-tech information system, establishment of tiger tusk force with improvised weapons, surveillance from sky etc. (MoEF.GOI, 2012). The conservation concept beginning to face serious criticism since early twenty first century both in the hands of conservationists and human right activists. The last nail on the coffin came in the form of the incident in Sariska, Rajasthan. The Sariska is a famed tiger reserve having 1213 sq.km of area under its territory, came into limelight in 2005, when it was exposed that tiger has vanished from the forest despite all the efforts of tiger conservation. A Tiger task force was created to look into the crisis which in turn instituted National Tiger Conservation Authority or NTCA. The NTCA suggested many steps to revitalize the condition (Shahabuddin, 2007). One of the main suggestions revised the earlier norm of 300 sq. km. of 'inviolable' area to an area ranging from 1000 to 3000 sq. km. and an extra area of 800 to 1200 sq. km. as buffer zone for 20 breeding tigresses. This suggestion enhanced the possibility of increasing the area under tiger reserves many fold, as most of the tiger reserves were of smaller in sizes. Only 10 reserves out of the 48 have more than 1000 sq. km in their core area, whereas BTR has only 760.87 km² area comprising core and buffer together (NTCA, 2012). The suggestion of the NTCA unwrapped a probability of increasing the core area of BTR from merely 390.58 sq. km (Buxa National Park 117.23 sq. km and 273.35 sq. km Buxa

Wildlife Sanctuary) (Buxa Tiger Reserve, 2015) to a upper limit and thus increasing the vulnerability in maintaining the present livelihood of forest villagers of BTR in the buffer zone.

The official data suggest 79 percent of the tiger reserves have less than the viable population of tiger. The NTCA believes that forest dwellers in the protected area are detrimental for wildlife as a result; priority has been given to relocation ('millennium goal') of forest dwellers from the tiger reserves to make the reserves 'inviolable'. On this pretext, relocation of forest dwellers of 27 hamlets spread across core and buffer of Sariska was started after 2005 on the basis of 'mutual understanding'. However, available study suggests neither the relocation was mutual nor the forest dwellers' happily accepted the rehabilitation package (Shahabuddin, 2007).

Forest Conservation Act, 1980 was enacted primarily to stop the diversion of forestland for non-forestry purposes. It spells out that diversion of forestland for non-forestry purpose requires approval of Central Government, cultivation of fruit bearing trees or oil-bearing plants or medicinal plants would also require prior approval of Central Government. Boulders, sand etc. in the riverbeds, located within forest area would constitute a part of the forest and their removal would require prior approval of the Central Government. Clearing of naturally grown trees in any forest area, including for the purpose of reforestation would also require a prior approval of Central Government (WPSI, 1998). One of the primary occupations of forest villagers in North Bengal and particularly in BTR was works under the forest department or under contractors engaged in commercial forestry. The enactment of the Forest Conservation Act brought to a virtual end to these productive activities, as a result forest villagers became uncalled-for in the forest (Gupta, 2005).

National Forest Policy's (1988) stated aim has been to restore environmental stability and maintenance of ecological balance. The policy acknowledged the symbiotic relationship of tribal people with forest. It gave emphasis on the protection and improvement in production of MFP (minor forest produce /NTFP) which provides sustenance to tribal population and other communities residing in and around the forest. It also suggested that a massive need-based and time-bound program of afforestation with particular emphasize on fuel wood and fodder development on all degraded and denuded lands in the country, irrespective of forest or non-forestland. The policy reversed the 1952's position and adopted strong policy resolutions for protecting the

rights and concessions enjoyed by the forest dependent tribal. It recommended for giving emphasis on the requirements of fuel wood, fodder, NTFP and construction timber of forest dependent communities. It also said that the Development of forest villages should be at par with revenue villages and the central government, the state governments should frame appropriate legislation to implement the policy. With this guideline in mind, the policy makers introduced joint forest management (JFM) and later on eco-development committees in the villages of protected areas (i.e. in sanctuaries and national parks) (WPSI,1998).

According to National Conservation Strategy and Policy Statement on Environment and Development, only the consciousness about the environment can reverse the problem of environmental degradation. It thinks that the environmental problems are arising out of two causes; firstly, ill effects of development secondly, negative impacts of poverty and under development. The report suggested establishing a direct relationship between local people and industries for transferring of industrial raw materials but at the same time, it cautioned the local farmers not to use their prime farmland for the purpose of producing forest products like pulp woods, plywood, bamboo etc. In order to address the negative impact of population growth and under development the report suggested remedies such as; (i) population control, (ii.) Reduction in livestock numbers, (iii) Creation of protected area network by giving full and appropriate rehabilitation, (iv) Plant fuel-wood species in village common lands and regenerate degraded forest,(v) Regenerate wasteland with the help of private partners (National Conservation Strategy and Policy Statement on Environment and Development, 1992).

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 unambiguously states that in the time of recording forest in state's control during the colonial period as well as during independent India, the local peoples' land and customary rights were not recognized. The Act termed this injustice as a 'historical injustice' to the forest dwellers and asserted that the local forest dependent communities are an integral part of the forest ecosystem. This Act grants a right to frame an institution called '*Gram Sabha*' to manage natural resources, to collect non- timber forest produce, to do land-based development, to frame own rules & regulations to control and manage forest etc. The rights that are furnished in the Act to the forest

dwelling ST and other traditional forest dwellers can be enumerated in the following fashion.

- Right to hold and live in the forest land under individual or common occupation for habitation or for self-cultivation for livelihood;
- Right to own, access to collect, use, and dispose of minor forest produce (MFP);
- Community rights of use or entitlements of fish and other products of water bodies, grazing and traditional collection of seasonal forest products;
- Right in or over disputed lands under any nomenclature;
- Rights for conversion of *Pattas* or leases or grants issued by any local authority or State Government on forest lands to titles;
- Rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages
- Rights which are recognized under any State Law or Laws of any Autonomous District Council or Autonomous Regional Council will be treated as rights;
- Any other traditional customary rights enjoyed by the communities except hunting, trapping or extracting a part of the body of any species of wild animal;
- Right to in situ rehabilitation including alternative land in cases where the communities have been illegally evicted from forest land of any type without receiving their legal entitlement to rehabilitation prior to the 13th December 2005;
- Central Government shall provide for diversion of forest land for schools, hospital, *anganwadis*, electric and telecommunication lines, fair price shops, drinking water facilities, minor irrigation canals, roads and community centers etc. provided managed by the Government and involve felling of trees not exceeding seventy-five per hectare; (The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006). The Rules of the Act was passed in the year 2008, it is in the process of implementation in the forest villages of North Bengal and yet to show results on the ground. According to Ministry of Tribal Affairs (MoTA) 16524 title deeds have been distributed and 15285 title deeds are ready to be distributed in West Bengal, till 31 May 2014.

Conversion rate of claims into delivery or ready to delivery of title deeds in the state is 23 per cent, which is below the national average of 38 per cent. However, in the month of April 2014, there is not a single claim received or title deeds delivered in West Bengal (MoTA, 2014). The official report points to that the execution level is below expectation and, the process of implementation of FRA 2006 has slowed down considerably.

The official records of forest department suggest that the forests of Buxa Tiger Reserve face the problem of grazing, illicit felling of trees, gathering of NTFPs, hunting, uncontrolled fires, monoculture plantations, and diversion of forest land for development activities. The records also admit that the transition from the commercial forestry to the conservation era has created unemployment in the forest villages and in the forest fringe villages of BTR. However, the records believe that the India Eco-Development Project (a project to popularize JFM) has taken care of the unemployment problem. The official documents suggest that the Forest Protection Committees (FPC) and the Eco Development Committees (EDC) are functioning almost like a political entity. The records believe that the institutions of conservation i.e. FPC and EDC are functioning in such a way that they are removing the stigma of ‘timber thief’ that has been leveled on them by the popular media. The committees are functioning against illicit grazing in the forest, resolving different types of problems through collective decisions. Over Rs. 23 corers were spent to generate alternative income opportunities. It is observed that 292 self-help groups have been formed in the forest villages and forest fringe villages of BTR. Women are emerging as entrepreneurs and adopting new skills for generating an alternative livelihood. The forest officials are working as facilitators in arranging finance, training, and marketing of the finished product (Sinha & Yadav, 2002). The official records suggest that in order to pave the way of conservation, the forest villagers are adequately compensated through JFM (here IEDP project). The institutions under JFM are emerging as strong entities.

It is observed that the conservation lobby including the political fraternity showed unqualified support in favor of the Acts which suggested strong conservation regime. In an interview with a popular news magazine, country’s Minister of Environment and Forest uttered that the Conservation Act, 1980 is sacrosanct to him and for that matter he would maintain its sanctity in totality. Ironically, in the same interview while putting forward another argument he suggested that his ministry would not be an unnecessary

dragging authoritarian obstacle to economic growth. The self-contradiction is observable from the two statements. He put forward his 6-point conservation agenda, which mostly include bringing sophistications in wildlife protection like starting a new special tiger protection force, patrolling by micro light aircraft etc. (Bindra, 2009).

In a keynote address on a national workshop on JFM, Mr. M.K. Nandi, the then P.C.C.F. (West Bengal), told that the demands of the urban population and the organized industries played vital roles in deciding the management practices of the forest. He further opined that the recommendation to curb the rights and privileges of rural poor and the large-scale plantation of commercial trees changed and reduced the dependence of forest people on the forest. However, he regarded the National Forest Policy, 1988 as a paradigm shift and concluded that it as a swing from conflict to collaboration with regard to the grassroots level democratization of forestry policies [Nandi(b), 2002].

2.3 Human rights activist and conservation activist's view

National Forum of Forest People and Forest Workers is an umbrella organization of the several movements of forest rights in the country. It has its' constituent organization named '*Rastriya Ban-Jan Sramajibi Manch*' in North Bengal. Most of the forest movements that are witnessed in North Bengal are spearheaded by this organization. A document of NFFPFW, 2001 titled '*Struggle of Forest Workers and Contemporary Socio-political Realities*' noted that an extensive commercial forestry operation was in full swing during 1950 to 1970s. The Industries got raw materials from the forests at a heavily subsidized rate. The policies and the forestry practices of the period destroyed the forest, its ecology, and the forest dependent peoples' livelihood. There is always an implied target from the part of policymakers to project the local forest user or the forest dependent communities as the destroyer of forest [NFFPFW(a), 2001]. The theme paper of the NFFPFW'S National Conference on Forest Villages/Taungya Villages 2001 emphasizes that the main problem of forest villagers is the status of the land they live in and cultivate. Due to the absence of land rights, forest villagers are denied with just and equitable development. The 1980's Conservation Act opposes any kind of conversion of forestland even if it is for the development of the forest villages. Though the *Panchayati raj* is extended to forest villages still it requires No-objection Certificate from the Forest Department for any kind of land- based development. This barred the forest villagers from obtaining basic amenities that are easily available to a revenue villager [NFFPFW(b), 2001].

A recent study by a group of NGOs amply demonstrated that the forest villagers of BTR lost their employment opportunities and access to forest since 1980 in a phased manner. Atrocities on villagers by FD officials have increased. Deaths of forest villagers caused by forest department's firing are common. People and their livestock get killed by wildlife regularly. Destruction of houses and crops by elephants are rampant. Forest villagers are not compensated or meagerly compensated for the damages done to their lives, crops and houses by wild lives. One plausible explanation might be that they live in the forest. Age-old economic activities like maintaining of orange orchards, lifting of stone from riverbeds etc. are stopped (NESPON, DISA, NFFPFW, 2005).

Some scholars view the National Forest Policy, 1988 as a most progressive forest policy ever framed to solve the livelihood problems of the forest dependent tribal and other traditional forest-dependent dwellers. However, they felt the urgent need for amending the Indian Forest Act, 1927 (the backbone of most of the Indian Forest Acts) and Conservation Act, 1980 so that the policy of 1988 can function smoothly. They further opined that unless the policy and the Acts have the same purpose to serve, the confusion regarding duties and rights in the forest department as well as forest communities will remain confused (www.legalserviceindia.com). However, the Forest Rights Act, 2006 is considered as a radical shift from the traditional way of forest management and provision of several fundamental rights. Ironically, the acceptance of rights in the Act does not mean the silky transfer of rights in the hands of forest villagers.

The aim of the Forest Rights Act, 2006 has been stated as undoing the 'historic injustice' faced by the forest dwellers through different policy interventions in the past. The manner in which the FRA, 2006 is implemented in North Bengal is questioned by academicians, raising their voices whether the very aim of the Act is defeated. In a recent study, it is found that the implementation process of the Act started with a flawed interpretation by the state government. The Government of West Bengal issued an order (GO) to DMs with the directives: (i) Forest Rights Committee should be constituted at the level of *Gram Sansad*, (ii) Forest Rights Committee shall act as a functional committee under *Gram Unnayan Samiti*, and (iii) the chairperson and the secretary of *Gram Unnayan Samiti* shall act as the Chairperson and the secretary of the Forest Rights Committee (GoWB, 2008). The concept of *Gram Sansad* is there in the Panchayat Act and it varies with the idea of *Gram Sabha* in character and substance as has been envisaged in FRA, 2006. The GO also breaches the provision under section 3(1) of FRA

Rules, 2007. It is amply clear in the section that “*The Gram Sabhas shall be convened by the Gram Panchayat and in its first meeting it shall elect from amongst its members, a committee of not less than ten but not exceeding fifteen persons as members of the Forest Rights Committee,*”. The difficulty associated with making a ‘Gram Sansad’ identical to Gram Sabha is that ‘Gram Sansad’ is a political institution, it requires the certain number of voters in order to be a Sansad and, frequently quite a few villages are added jointly to reach the stipulated number of voters. Since the forest villages are widely scattered in Forest, it becomes difficult for several villages to frame one gram shabha for several hamlets. The GO violates the democratic setup of the Gram Sabha by proposing that the Forest Rights Committee shall operate as a functional committee under Gram Unnayan Samiti and the president and the secretary of Gram Unnayan Samiti shall execute as the Chairperson and the secretary of the Forest Rights Committee. The GO infringes on the grass root democratic arrangements of the institution i.e. Gram Sabha, empowered by the Act to function as an independent forest resource management authority. However, the state government was forced to withdraw this GO, owing to fierce movement by the forest villagers of North Bengal. But the GO left behind a scratch mark which suggests a total indifference of the bureaucracy and political fraternity to understand the spirit of the Act (Debnath, 2016).

Since the starting of implementation of FRA 2006 in North Bengal grievances from forest villagers are emerging in the form of protest movements (CSD, 2013). Some of the protest movements in North Bengal faced police atrocities, one of the movements against departmental felling in community forest resource (CFR) went to the court. Surprisingly, the honorable ACJM-in-Charge JM, 1st Court, Alipurduar granted bail to the Gram Sabha members and pronounced that the members acted according to the Law (Justice Mukhapadhyay, 2013). The incidents of these atrocities reached to the Central Government also, in a letter to the then Chief Minister, country’s Minister of MoTA&PR mentioned it and requested to implement the Act keeping in mind the spirit of it (MoTA&PR, 2013)

The main accusation against the implementation process of the Act is that it has become unsuccessful in presenting the proposed benefits to the majority of forest communities. Some scholars opined that the implementing agency of the Act is Tribal Welfare Department at the State level, but they depend heavily on Forest Department for records of land and FD’s role in supporting the process is not appreciable (Kumar, 2012).

Moreover, the forest department viewed the Act as a challenge to their authority in forest administration.

The state governments of the country make substantial revenue from the clear felling operations; these areas are common with community forest resource areas. The Forest Development Corporations (FDC) of the country are mainly involved in commercial forestry in these areas of forest. As a result of this, the news of several confrontations is emerging frequently. (MoEF & MoTA, 2010). The provision under section 5 of FRA 2006 which crafts community forest resource zone and its management option is in direct conflict with the concept of FDC. It is observed that most of the litigants against the Act are ex-forest officials (MoTA, 2014). If one believes that there is a similarity in the thought process of ex-foresters and the present foresters then one may argue that the FD is against the FRA, 2006.

A renowned conservationist while talking on the new Forest Rights Act, 2006, in an interview said that the new law would destroy all the national parks and sanctuaries, in other words, will destroy the habitats of wild lives. This will increase the man-animal conflict to many folds. He further opined that lot of disputes will emerge on the questions of rights on forest land and forest resources. According to him, courts will be snowed under various litigations. While expressing his disappointment about the Act he opined that most countries preserve their valuable resources under lock and key and we are keeping our prized resource i.e. forest resources open (Thapar, 2007). This opinion expresses a radical frame of mind possessed by most of the conservationists against the FRA, 2006.

Recently, in an RTI inquiry by PTI, it is revealed that there are widespread irregularities in Tiger Reserves. The concept of core/buffer, tiger task force, surveillance by GPS etc. all sounds well but faced no results. The inquiry exposed that 335 tigers have lost their lives in the last decade in the hands of poachers and diseases. Poaching has increased at an alarming rate despite all the efforts. As many as 13 tigers were poached in 2009, 14 in 2010 and 11 in 2011 suggest the condition of tiger reserves (The Statesman, 2012). Some academicians cum activists questioned the achievements of tiger projects in India. The most obvious logic is the diminishing number of the tiger population in the tiger reserves. They opined that the campaign of making 'inviolable' habitat is a conspiracy against the forest dwellers as it propagates a concept which suggests that 'Tiger and people cannot co-exist' (Bijoy, 2011).

2.4 Social scientist, anthropologist and economist's view

The traditional forest dwellers of India had no difficulty in living in forest, pursue their livelihoods until the British came, and started profitable removal of forest products. The British enacted several acts and framed policies to bring the forest in the State's control, previously used and managed by different forest communities. The colonial rulers named this process as creation of reserves and it continued until India's Independence, as a result, the tribal and other traditional forest dwellers got gradual alienation from the forest resource base. However, the concept of reserves did not save the forests rather degrade it. After the independence, forest resources mainly timber was supplied to various developmental works at heavily subsidized rate for nearly thirty years. During late 1970s after the enactment of the Wild Life Protection Act, 1972, planners realized that nearly half of the recorded forests were degraded, and conversion of the forests was a routine exercise. They were worried with the shrinking forest cover, rising population, and increasing demand for timber. These concerns forced the planners to bring the Forest Conservation Act, 1980. The Act calls attention to the reduction of felling operations, curbing conversion of forestland, and looking for livelihood generation for forest dependent communities. It is observed by scholars that the act could stop forest conversion but could not generate alternative livelihood options for forest people (Poffenberger, McGean, & Khare, 1996).

One of the prominent ecologists of the country, Gadgil (2000) inferred that before the advent of British, the Indian rural society had consistency and steadiness in forest resource management and allocation mechanism despite, having differences amongst caste and creed. This foresight, created a long-term sustainability in forest resource management. The earlier rulers like Mughals did not try to split this social fabric of resource allocation mechanism. They were more attracted in those places from where revenue earning possibility was maximum e.g. fertile agricultural lands, populous towns etc. Mr. Gadgil revealed that commoditization of forest resources by the British completely altered the harvesting pattern and the consumption pattern of forest resources. The indiscriminate knocking down of forest resulted in intervention by the state in the everyday life of the forest communities and emergence of a new narrative on the property right. A stringent directive on the conventional use of the forest resources was a compulsory order for market oriented production. Certain concessions were allowed and other customary forestry practices of the past were banned under 1878's

forest act. The forest policy of 1894 dictated the absolute state control over forest resources. Commercial value of forest resources became the guiding principle behind declaring a forest as reserved. Thus, forests of Garhwal and Kumaun got reserved in the year 1912 after it was discovered that *chir* and pine timber can be used in railway sleepers. The performance of the foresters of the period was assessed on the basis of their revenue earning capacity as a result they went ahead with commercial monoculture of valuable trees. The commercial forestry not only destroyed the forest and its ecology but it propagated plantation of those species which had little relevance on forest dwellers' livelihood. Another, chaos on the forest and forest dwellers' livelihood came with the introduction of tea and coffee plantation. The plantation of tea and coffee changed the forest's diversity and formed an ordered landscape. Apart from the conversion of forest land the plantation industry was heavily dependent on timber for fuel and packaging of finished products.

The ecological historian Guha R. portrayed the picture of reserves as lands either given to generate revenue or were left to become open-access lands. He refused to call it reservation for conservation but termed it as mere 'confiscation' of forest land. He cited the following reasons behind creating reserves during colonial period (i) to establish exclusive hunting ground, (ii) to ensure uninterrupted supply of timber and (iii) to ensure environmental stability. After the independence, the industrialists came in the forefront, as the nation chose the path of rapid industrialization. The passion for this move was so strong that forest resources were granted to industrial houses at casual prices. He opined that consumption habits of the elites, urban middle and upper class, and the current developmental models are the main causes of destruction of forests; on the contrary, the artistic wisdom of conservationists decides precedence of forest management. Sandwiched between these two processes of obliteration and protection are the local forest dependent people, who has little stake either in commercial forestry or in protected areas as are presently managed (Guha, 2000). Developmental models are sacrosanct, apparent differences between policies are sorted out to pave the way for developmental projects. Researchers found that there was parity between the stated policy and legislative interventions up to 1980. But the policies shifted focus towards sustainable development since late 1980s which were not backed by fitting legislative interventions. However, even the progressive policies and acts did not raise the issue of access to forest resources which allows the forest dependent communities to continue with their

livelihood. Moreover, Well- intended policies and laws get diluted in course of time mainly because of the developmental priorities (Menon, 2006).

Prior to the IUCN meeting in 1969 in Delhi, Indian forests were known for pleasure hunting. The union government also projected the forests as hunters' paradise in order to attract foreign exchange. The erstwhile royal prestige of hunting became easily available to the new breed of top brass of government administration and big traders after the independence. The development in communication and the large hydro projects brought the remotest forests closer to these new hunters. On the other hand, the consciousness on conservation after the enactment of Wildlife Protection Act 1972 was increasing in some quarters of the society. However, the overall commercial philosophy of restructuring forest (commercial plantation and harvesting) to maximize return remained the same. Even some sanctuaries were subjected to commercial monoculture to meet the needs of the industries (Rangarajan, 2012).

The conservation model, the country presently pursuing is primarily based on two arguments: (i) forests to be made pristine and (ii) human use of forest threaten ecological balance. However, several studies found that the finest forests of the today's world were once inhabited by human being and the diversity of the forests was shaped by human interventions at different levels. Indian forests were inhabited by several tribes since prehistoric periods. The two epics (Ramayana and Mahabharata) have mentioned several examples of this fact. Even in the Veda (Rig Veda) the wars between *arany* and *savyata* (forest and civilization) epitomizes the same truth. It is found that a moderate level of climatic and anthropogenic disturbance in any forest increases the bi-diversity of it. Several examples of this phenomenon can be cited in India, where forest dependent people are driven out of the forest on the pretext that their forest use pattern destabilizes eco-system, later on, it is established that the very forest use practice was behind ecological vibrancy in that particular forest (Seberwal, Rangarajan, & Kothari, 2001). Not only forest use practices that enhanced the ecological variety in forests, it is also found that the traditional forest dwellers established institutions to judiciously use and protect the forest resources. These institutions were systematically eliminated by the colonial forest department. However, some snap shots are found in the writings of the British foresters. Examples are found where customary restrictions were declared on over-use of forest produces, separate maintenance of grazing grounds and fuel reserves were common (Kothari, 1996. Guha, 2000).

Drawing knowledge from the past and realizing the symbiotic relationship between forest and forest dwellers the policy makers brought the 1988's National Forest Policy. For the first time any forest document (the policy) acknowledged the necessity of involving the forest dependent communities in the scheme of things of forest. The policy adopted the concept of Joint Forest Management (JFM) and recommended to spread it all over the country. However, the concept of JFM allegedly failed in most of the states as it hardly shared any real management control with the forest community. The forest Acts that were governing forests were not amended to offer a legal space to JFM, as a result, it was not legally binding to anybody (Saxena, 2003). JFM also failed to show equality in respect of framing policy for a certain forest area, preparing duty chart for patrolling in the forest, deciding on intermediate or final harvesting. Power and authority to frame and execute local level plans solely remained with the forest department (Bandhopadhyay, Soumya, & Shah, 2005).

Another study (Karlson, 1999) on the functioning on JFM (India Eco-Development Program) found that it has failed to generate alternative livelihood options for the Rava community of Buxa Tiger Reserve. In the concept of JFM the very idea of partnership (meaning of joint) between forest department and the forest community is badly missing. The author found that people are suffering because the regular forestry works have stopped and the access to forest resources like NTFP has reduced drastically.

So far as nature of poverty is concerned it is well-documented that poverty traps are spatially determined phenomenon. A study by Farrington and Gill (2002) identifies five spatial characteristics of the poverty ridden areas and they are: (i) low agricultural potential, (ii) fragile ecology, (iii) weak infrastructure, (iv) poor connectivity and (v) weak functioning of markets. A cursory observation suggests that the forest villagers are not free from these traps. Again a study by UNDP found that nearly 25 percent of poor in Asia live in mountainous area and these populations includes forest dweller and native people. In case of BTR it is known that several forest villages are situated in hillocks or mountainous regions. (UNDP, 1997). Another study observed that high proportion of rural poverty is concentrated mainly in forest region (Shah and Guru, 2005). The popular notion that the dependence on forest reduces the consumption level, it is said because of the opportunity cost of the time, i.e. the time that a family uses to gather forest products is much higher in compared to the value of the products. However, the notion was negated by the study of Jean-Marie Baland (2003) which suggested that the standard of

living (consumption) is not linked with the reduction in forest dependence but it depends on the productive assets possessed by the community, education, and more nonfarm employment. It is also observed that the socioeconomic inequalities affect the carrying capacity of a common property resource. However, if the local governance and collective action plays a vital role then the negative effects of inequalities on the outcomes of commons can be reduced considerably (Andersson and Agrawal, 2010). These studies on nature of poverty suggest that forest villagers' livelihood are vulnerable for its spatial characteristics, if other drawbacks like restricted access to forest resources or lack of effective institution of local governance are added to it, the possible situation is worth studying.

In the above studies the concept of forest village, its role in forest regeneration and struggle for livelihood found very little reference. None of the above studies adequately addresses the forest people's response to the changes in forest policies and acts. In other words, the studies lack the empirical analysis on the pattern of change in livelihood of forest villagers owing to policy interventions. Most of the studies examined a broad based macro state of the forest and forest communities in the wake of policy intervention. The studies lacked to mention the relationship of forest villagers with forest department and the livelihood practices of the past (before the declaration of tiger reserve) as well as of the present. The studies also did not focus on the problems of these livelihood options. They did not investigate the uniformity in the occupational pattern of the forest villagers that they are currently engaged in along with other occupations, to understand the significance of the traditional works in their livelihood. They also failed to investigate the status of the different occupations (in forest) after the declaration of tiger reserve that the forest villagers used to do under the forest administration before the declaration of tiger reserve. They did not look into the present pattern of livelihoods of the forest villagers and whether the livelihoods can predict the level of household expenditure. JFM is a major event in the Indian forestry practices, most of the studies critically evaluated it in terms of its capacity to generate alternative livelihood options and the exhibition of democratic essence in its organization but the studies failed to portray the perception of the forest villagers regarding the concept of JFM and the quality of partnership with FD.

The studies also did not focus on the basic amenities that the forest villagers are supposed to get, level of education, functioning of panchayat etc. The studies have

revealed several fundamental questions regarding the status and the problems in implementation of the latest legislative intervention (FRA, 2006), but they did not focus on the status of the Act on the ground, people's awareness and perception about the Act. Moreover, apart from some papers on the forest quality of BTR and JFM of BTR, no study has enquired into the livelihood problems of the forest villagers of BTR.

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