

CONCLUSION AND SUGGESTIONS

The political will is directed toward greater good and for the greatest number of people. Hence, the tribals now only in marginalized number of the land where they were once the majority shall be inevitably deprived. Thus a comprehensive legal framework to protect the minority tribes for the future is the need of the day. Irrespective of their geographic locations, the tribals face hardships as their basic rights are violated. They are refrained from exploiting their natural resources or to seek justice within their own traditional and customary laws. Poor financial condition of the Government has been one of the many reasons for the socio economic degradation of tribes in India. Because of the scarcity of land with rich resource base, the state has moved towards =commercialization of various natural resources of the country which are mostly situated in the tribe populated areas. Commercialization and industrialization has led to the altered framework of forests from the natural way.

There have been plenty of instances of tribal right violation in the last century and the trend has continued in this century as well. Starting from land alienation to depriving them from forest lands and resources, the government whether central or state has done enough to vitiate the basic rights of the tribals which every human being is entitled to enjoy just by being humans. There has been massive annihilation and uprooting of tribal communities due to developmental projects leading to gross violation of human rights. . The tribals have been indebted with the gradual erosion of their traditional rights to land and forests and a large scale intrusion of their culture. The judicial decisions, the legislations and the government notifications for the protection of tribal rights have been disrespected by the State in a series of cases. Today the settlements where these communities live in are in dire state as the promises made towards their welfare ended up in smoke. On the contrary the legislative efforts made on their behalf remained only in papers or ended up as colorable legislations. Grave instances of tribal-nontribal disputes followed. In the absence of any effort by the State various non-governmental organizations have come in their rescue but could do very little for the poor tribal communities apart from winning a few legal battles or formulating some tribal organizations.

It is the advent of globalization that ultimately brought a ray of hope to the tribal community. The light that establishes scientifically the methods used by the tribes is sustainable. The way of their life progressive. The approach of theirs towards the environment is the way the world should move to. That their rights are at par with other human beings on earth. Their religion is their right. Their forest is their homeland. Their medicines at times are better than allopath.

The poor and the uneducated of the modern civilization have been brutally humiliated day in and day out by the rich and the famous. The simplicity of tribal communities are used to exploit them and to rebut them with the armor of state machinery in case of tribal usurp. Unfortunate but true various analysis of laws for the welfare of the tribes are made by various legal experts, anthropologists, economists, politicians and judges, but the outcome is massively disturbing when it comes to the implementation of those legal provisions. The very basis of the rights as provided by the constitution is unknown to these millions of people. Modern education is far away from them. Among the few thing that they know about is the law of nature, the law of responsibility and reasonability. The law which was even acknowledged by Professor Hart, which led to the revival of the natural law theory in the 20th Century. The need of reason as the basis of law has been appreciated in all modern societies and India should not lag behind to protect that segment of the society who lives a life of poverty and oppression just because they are non-commercial in their approach. The progress of a country must not only be judged by its economic progress but also the rights the citizens enjoys in their motherland.

The whole legal framework reflects the dream that the forefathers of our constitution has seen. But unfortunately most promises were never respected. The dreams of a world where the tribes can be what they were still remain a reverie. The continuation of the broken heart, the conspiracy to favor the business communities has ultimately raised the issue of the division of the integrity of our country. Various efforts are made by the tribals with the help of various extremist groups to avenge the deceit that the country did to them. The demand of separate tribal land¹ is the outcome of the erosion of faith on the broken promises of the administration and various politicians. The simple forest dwellers and food gatherers have now in various cases joined hands with the extremist movements today, inviting more bloodshed and gross violation of human rights.

The basic reason for not setting up a comprehensive framework for the tribes in India is the lack of proper acknowledgement to the problem of tribes not only in the regional level but also in the national and international level for a long period of time. However, over the last few decades the international movement of Indigenous and tribal peoples has grown extraordinary. The outcome of this long standing struggle has been the emergence of indigenous peoples as a distinct category in the arena of international human rights.

In the light of the said development a comprehensive research and study must take place to identify the problems and to study the level of the problem the different tribal groups of India are in. A research team must be framed under the guidance and supervision of a Standing Committee to assess the damage and distress the tribes have gone through and the modes by which they may be

¹ The first such state is Jharkhand.

redressed and rehabilitated. The basic things that should be surveyed comprehensively are inter alia the landholding system amongst the tribes which shall include the landholding pattern amongst different tribes, the extent and nature of dependence on land and land based resources, the legal perspective, taking in view the customary rights of tribals on land based resources, the effect of surveys and settlement operations already conducted, the role of regulatory Institutions, the changes in control and access of tribal people to land and land based resources due to developmental activities, Administrative measures, Legislative measures and proper and adequate Secretarial and Technical Assistance.

Apart from the aforesaid study a separate team must be framed to study the massive annihilation and uprooting of tribal communities due to developmental projects.

Study must be made to analyze to what extent the tribals are dependent on forest land and forest resources. What has led the tribes to the various movements as against the government and the non-tribal community?

Research must be conducted to bring the concept of sustainable development to bring back the natural way of exploitation of forests. This would automatically be a pro-tribe approach as they are themselves experts in it.

The government should implement the High Court and Supreme Court decisions relating to protection of land and forest rights of the tribals. Occupation of tribal lands through deceit or use of force should be made an offence. There should also be a ban on any transfer by a tribal to a non-tribal like that by way of lease, mortgage gift etc.

It has to be kept in mind that only short term poverty alleviation program or crisis management policies that are immediately needed, but broader structural development program are also needed, involving the tribals themselves as participants in the developmental process.

So is the story of the tribals or the indigenous communities all across the world. The tale that depicts the annihilation of the human wealth and human habitat by unlawful means. The tale of pain and agony. The tale of tears and suffering. The time has come to do justice. Justice to those, whose right to life has been denied for ulterior ends.

If law is the means to achieve the end-called justice, then it is the time to make laws and amend the existing inadequate laws to protect these marginalized groups and communities, taking into consideration the human right issues to protect the social, economic and cultural heritage of these deprived classes.

In the era of industrialization and globalization where we live in, the biggest question is how long and how far and how much planet earth can tolerate the exploitation of mankind. Death is inevitable to all human being just like any other living being on this planet. Now the question is when that time would come for the entire human race. The world and its order are changing and the rate is really very fast. Apart from environmental issues another interesting factor is the human nature by itself, viz., greed, intolerance, corruption. Can we change this? If we can, would it be possible to protect this planet for human inhabitation? The issues are clear, not the process to address them. With the failure of Copenhagen the chances are few and far reached to have any unified effort in the near future to have a joint effort to protect us from slow poisoning. The Paris meet according to some is a mere fraud.

The next generation must be cautious of the facts and should take all possible steps to save themselves from annihilation. The technological boon perhaps have become insignificant in the era of mass economic downfall and the only way perhaps is to look at the pages of the past to take the lessons of sustainability to supplement and complement the modern interpretation of the term. The significance of the term rose to great height during the Stockholm Declaration. It also entered the Indian Legal arena to play a pivotal role in the famous MC Mehta V. Union of India case as pointing out the need of protection and conservation, Justice P N Bhagwati (Chief Justice, as he was then) used the term in an eloquent fashion.

The various dimensions of human being have been vividly simplified by tribal approach towards life. The need of the hour is to learn from past experiences as Friedrich Karl von Savigny approached the process of law making and apply them in a very systematic way acceptable to our modern society. The State must play a significant role in the formation of a comprehensive plan with the help of tribal literature, studies and even volunteers from these communities.

People today dream a life with purposeful existence. It is a boon on the continuous discrimination and corruptive practice of the members of the sovereign and their malicious motive that leads to the revolution of social change. It provides the paralyzed system an opportunity to move, a space to breath and an eye to see the way humans did for thousands of years.

A set of suggestions are available to explore the benefits that the seventh generation may achieve out of indigenous practice. Both short term and long term measures are needed to be taken for our own benefit and future. Some of the said measures are stated hereunder.

Incorporating indigenous knowledge in primary education including its physical applications, as far as possible should be the need of the hour so that every new member of our community would be aware of the nature around them.

The state must endeavor to conduct research for incorporating indigenous way *inter alia*, the protection of land and forest in the policy to protect land, forest and wildlife.

To acknowledge that indigenous knowledge is scientific and effective as has been accepted by many countries across the world.

State must protect and provide aid to the aged tribal people who are the storehouse of indigenous knowledge. It must be understood that these peoples are the last generation to carry indigenous practice and knowledge as most people of this generation has left their ancestral profession and joined modern professions for economic sustenance.

Another important thing that the government should do is to treat tribal movements more humanely and effectively to prevent further violation of human rights and constitutional rights of the tribals. More participation of tribals in policy formulation system relating to their affairs on land, forest etc, would definitely ward off violent confrontation the country has witnessed so far to a considerable extent. This would also help to some extent in solving political turmoil prevailing in many tribal parts of our country.

There must be efforts on the part of the Government to implement the Supreme Court and High Court Judgments in protecting tribal rights. The Supreme Court specifically in the case of Samatha categorically formulated the procedural and substantive laws to deal with tribals in certain situations. This must be implemented by the state for better state tribal relationship.

Research shall also be conducted for incorporating indigenous ways of protecting the forest land and implement them in the policy formation system to protect the endangered species. There has been enough evidence of tribals and indigenous peoples being responsible towards protecting various endangered species and plants with medicinal values across the planet.

New laws solely with the objective of protecting various rights of the tribals should be made in consultation with experts from both India and abroad.

The state shall also acknowledge the mistake committed by the government by undergoing so many so called developmental projects and to make a comprehensive report on the number of tribals displaces from their motherland. In furtherance of the said research, proper efforts must be made to protect them from further suffering. Certain rehabilitation program must also be made for the displaced adivasis.

Another important aspect that has to be taken into consideration is the tribal way of healing. The State must also make necessary rules so that their knowledge may be protected from being economically exploited. Experts on medicine and law must work hand in hand with these people to

identify the intellectual property involved and the viability of protecting them legally. This would also help them to have certain economic benefits for their intellectual rights.

Sustainability is one of the main features of every tribal and indigenous society. There are certain aspects that deserve systematic protection to preserve indigenous life and livelihood:

1. Tribals and indigenous peoples have a broad knowledge of how to live sustainably and this can be a source of guidelines for the future generations.
2. The formal education system has done more bad than good to these people as it disrupted the practical everyday life aspects of indigenous knowledge and ways of learning, replacing them with abstract knowledge and academic ways of learning. There has been a loss and destruction of mass knowledge base to live a sustainable way of life, available to the tribals because of this. It must be understood that modern education with traditional educational system must be the order of the day.
3. The indigenous knowledge may be integrated into education and thereby promote sustainable lifestyle. Various means must be identified as to how this gap may be bridged with the help of experts.
4. One of the immediate benefit that be achieved by this is to identify various ways to protect the environment.

In order to understand the concept of sustainability, it is important to understand the mechanism upon which it works. There are certain factors that could be identified after consultation with various research work done in this regard by various other scholars and philosophers.

- Spiritual tie with the Earth
- Natural Remedies and Medicines
- Sustainable Resource Management
- Sustainable Social Relationships

It must be understood that all these factors makes them what they are and what they aspire to be in their own ancestral land. It must be understood that the tribals bear the lamp for the future and this has been accepted by many social scientists and other philosophers equivocally.

Apart from these basic aspects, the following are *sine que none* to the concept of sustainable system of tribal and indigenous life which is usually not present in other communities. Some of the notable aspects are:

1. Conservation
2. Appropriate Development
3. Democratic Participation
4. Social Equity and Peace

The man who works as a labour in the construction industry, the thousands of them involved in the big dream home projects and sky creepers, who work in the construction of big flyovers, bridges are those who have been either forced to leave their motherland or fled from the group which has lost its sustainability.

The handicraft industry in most tribal areas are dying a slow death as most of the current generation are not keen to carry on with the profession or trade of their ancestors as they are hoping to survive the onslaught the current economic situation is providing them with.

The raw materials involved in the business and the skill needed are no longer easily available and the chance to work on them to explore the skill and practice is reducing at an alarming rate. The greener pastures of the urban and semi urban developments are attracting and alluring the younger generations to a more modern life whether or not they are better is another question to answer.

Development of the current generation is in tune with the thoughts of the west which has more often than not been in direct confrontation with the nature and natural legal thoughts. The law that these people endeavour is tacitly different from the colonial British philosophy based upon the pillars of utilitarianism and positive law theory.

There are many instances which suggest that the social, environmental, cultural and legal system of the tribes all across the globe where the British hegemony has been successful to flourish their business and trade and later their administration, has been detrimental to the system both in short term and long term.

The system of the adivasis or the tribes has been emphatically abused and annihilated to introduce the western thought at the expense of balance that the world had by itself. The term tribe actually implicates the backwardness, geographical isolation, simple technology. However, this has been the subject matter of criticism in recent years as it has been established through historical evidence that there have been cultural and business contacts between castes and tribes.

Tribals in India may be classified into two broad categories for the purpose of this study into:

1. Those displaced and
2. Those who carry on their livelihood on their ancestral land.

A separate set of suggestions may be framed for those who have been subjected to large scale displacement caused by various reasons including various developmental projects. For them the primary objective of the state should be to formulate a comprehensive procedure to rehabilitate them to the best possible alternative. If the reasons for which they have been dispossessed have been in fructuous due to various reasons, efforts must be made to resettle them in their very own land. If resettlement is not possible under the said situation, and the people dispossessed are living a secluded life like that of subalterns, efforts must be made to immediately provide them with the necessary reliefs including that of essential medicines and temporary shelters.

There should be sufficient expertise as to how rehabilitation process can be carried on. In the absence of adequate knowledge to assess the reasonable and rational outcome of the steps taken, experts' advice should be taken at the earliest from the national and international forum. Adequate knowledge and training on human rights must be imparted upon those involved in the process of rehabilitation.

Apart from returning them to a proper accommodation, there should be sufficient aid for their reconstruction of social and economic establishments. Tribals should be provided with financial assistance at all levels during and after the rehabilitation process in concluded. Periodic review of the development of the tribals must be recorded for future reference and research. The system, if successful may be used for other cases of rehabilitation.

In case of rehabilitation to any new place, the tribals must be adequately informed with the necessary technical and expertise committee frame in this regard by the State Government and inform the tribals about the various viabilities of the said land. Continuous assistance should be provided to the tribals till they are self sustained in their economic and social conditions. There shall be adequate water, sanitation and health support for the newly inhabited mass in the relocated zones. It must be mentioned in this regard that the tribals must be allowed to visit the place from where they have been displaced because of various reasons. In case of any place of special interest, such places must be preserved by the State Government for continued cultural and spiritual attachments.

Both financial and technical assistance must be provided to the tribals for systematic and undisrupted rehabilitation. It has been recorded in many cases of rehabilitation, that the tribals do not accept the new areas easily. In order to overcome this challenge, the government must provide

sufficient assistance to the displaced tribals in this regard. Efforts must also be made to understand the root cause of not accepting the allocated rehabilitation zones and proper steps must be taken at the earliest to overcome the same.

Talking about the un-displaced set of tribals, the challenges of the state to provide them with proper infrastructural development is even more difficult. Because of inadequate and misleading objectives, the tribals have been subjected to various kinds of atrocities at length for a number of decades. The state must identify the right chord between the traditional and the modern situations that pose the greatest challenge to their reconstruction and development in the true sense of the term. The lack of proper education amongst the tribals has made the situation worse for the state mechanism to communicate as the first problem that comes up is that of the medium of communication. Even when this hindrance may be overcome by an interpreter, the language of understanding for the tribals becomes the most difficult problem to address. Because of lack of modern education amongst the tribal communities in India, the communication becomes a bar to transfer intellectual information from either side. There should be a set of experts appointed by the concerned state government to mitigate and resolve these differences and help in the objective of such communication apart from primary education, the state shall endeavour to provide education in technical subjects like health and law amongst others to help bridging the gap between what they are and what they want to be.

It must be understood that their invaluable cultural and technical knowhow must be protected at the earliest as we have already lost a lot of such information because of various adverse reasons discussed in various areas of this thesis.

Special committee must be made to identify the traditional knowhow and record them for assessment in national and international level. The information identified must be published for further interest creation and research. This knowhow may also be used by the non tribals under the supervision of tribals for betterment of the forest and environment amongst other areas.

The tribals must be provided with modern education with their traditional education based on practical applications. This blend of the two must be done in the best possible manner for the actual development of the tribals. There shall be efforts to provide the gram Sabha with adequate modern knowledge and education so that they can understand what is best for them than to apply some directions straightaway.

It must be understood that the tribals are the aboriginals of where they are staying for ages or from centuries. They must be protected in all regard and should be equipped with the modern as well as their traditional knowledge. The state must take adequate care to provide training to the tribals in

the field of health, primary education and other relevant technical education through the aid and advice of the expert committee created by the concerned state government and the Gram Sabha.

Other aspects of development must be made in the areas so that they can actively participate in their own ways and be free to choose the profession they wanted to practice. Proper training must be provided to these people as they confront various environmental and social situations that the new world poses for them. They must be able to be in a position to choose what's best for them and not act out of compulsion created by various situations. Training programs and creation of market for the goods the tribals create must be made by the state agencies and other NGOs and SHGs working in and around these peoples.

Some of the suggestions are as follows:

- Land

Land is at the heart of tribal life. More than a thing of value, land to him is mother earth, which satisfies both his material and spiritual needs. Hence depriving him of his land is to snap his continuation as a self respecting member of society. In fact, the root cause of all human right violations perpetuated on them can be traced to land alienation, since the tribals depend on land for their identity, existence, security and livelihood².

1. Samatha has played a very significant role in protecting the land rights of tribals in India, very similar to the Mabo judgement of Australia. However, in reality, Samatha has not been able to achieve and provide the much anticipated relief like its Australian counterpart. The primary reason behind this is the lack of political intent to provide relief to these peoples. The judgement must be enforced at the earliest specially in areas of tribal land acquisition for private industries.
2. The Forest Rights Act, 2006 has come as a relief to the tribals in India. To make tribal participation in decision making process, Gram Sabha has been vested with various powers. However for more effective application of this Act, consultation with the Gram Sabha should be held as 'Prior Informed Consent'.
3. Gram Sabha must be involved in cases of Joint Surveys and its accent to such reports must be made mandatory for upholding the correctness of the report.
4. A mandatory compensation system must be sorted out with active participation of the Gram Sabha and with the aid of independent agencies under the supervision of the Judiciary in cases of acquisition being the last resort. The said compensation package must incorporate

² Douglas Sanders- '*Indigenous Peoples on the International Stage*', Social Action Vol.43, Jan-March 1993, pp 1-7 at p 1.

monetary compensation with alternative relocations and also a dynamic implementation body of experts to carry on such rehabilitation process and provide periodic report to the state as well as the judiciary under whose supervision such acquisition process has started. The judiciary must also be empowered to increase the compensation package when necessary.

5. In case of agricultural lands, acquisition should not be allowed unless as the last resort. Land laws must be amended where tribal lands are transferred from agriculture to other uses like housing etc.
6. Special training must be given to officers of the government who are to carry on the acquisition process so that there is no violation of human rights including social and religious rights. Human rights training must be made mandatory to all the government departments.
7. Special care must be taken to protect the religious and spiritual sentiments of the people displaced. Enough scope must be created for them to carry on the practice even after acquisition. Research must be conducted to understand the underlining value of plants or minerals etc present in the area which may be protected by these tribals for ages. In case of need various other departments like health, research, laws must be involved for active participation and advice in this regard. Various universities should be assisting and aiding the government in the process of acquisition and the viability of such acquisition.
8. Special care must be taken to protect these areas for future access of tribals and other interested people for conducting research and other relevant activities. The government should have complete access to such zones and special measures should be taken to understand the social and cultural aspects of the said tribal sentiments.
9. The industries vested with such acquired lands must spend a part of their profits in furtherance of Corporate Social Responsibility to those displaced and a periodic report must be given to the concerned department of tribal affairs as to how the money was spent on the rehabilitation and other aspects to improve the position of these displaced. Such reports must be made public after due audit for public inspection.
10. Consent of the Gram Sabha must be made a mandatory clause before such acquisition is made and also at the time of transferring such acquired land.
11. The process of acquisition must be made transparent. The process of survey, reports made must be made public on the basis of which the government concerned has allowed such acquisition of land. The government in the said process must also provide detailed rehabilitation program published before carrying out the acquisition procedure.

12. Gram Sabha must be provided with necessary infrastructure with modern technological devices to carry on its functioning more effectively.
13. Separate fund to be allocated from the Constituent Fund of the state for the Gram Sabha to aid and assist the economic and financial need and independence of the functioning of the Gram Sabha.
14. Certain adjudicating powers must be vested to the Gram Sabha which shall have effect similar to that of Civil Courts.
15. Gram Sabha must be provided with the opportunity to work hand in hand in developing their expertise with Indian and foreign universities and other international organizations which would help them to assess the sub soil conditions and other resources present in the soil.
16. Proper training must be provided to the Gram Sabha to make available to them the modern indigenous movements and development for effective functioning and their decision making more scientific, prudent and reasonable. Such training must be made compulsory for other relevant departments of the government.
17. Involvement of technology and e-governance must be made available for transparent functioning of the Land Department. Proper record of rights should be made available for all interested to know about the land concerned through concerned websites and also by creating an 'App' for mobile accessibility.
18. Management of tribal lands must be vested to the Gram Sabha which should include the right to settlement of land on annual basis on such terms and conditions as the state government thinks fit and proper in this regard.
19. No tribal land should be owned by any non tribal except for certain developmental activities of the tribals. In case of any such transfer of ownership being already taken place, all such transfer be declared void and such land to be returned to the concerned tribal or in his absence to his representative in interest in the way of reversioner in remainderman or in his absence to the tribal community collectively. The government should implement the High Court and Supreme Court decisions relating to protection of land and forest rights of the tribals. Occupation of tribal lands through deceit or use of force should be made an offence. There should also be a ban on any transfer by a tribal to a non-tribal like that by way of lease, mortgage gift etc.
20. Formation of fast track courts, tribunals are to be made involving two to five Panchayats to dispose of the matters before it within a mandatory period of one, from the date of notice.
21. Councillors must be made from the members or an ex member of the Gram Sabha to hear the matter after filing of the case and a report to be taken from him within a mandatory

period of two months from the date of appointment. It must be the duty of the said councillor to settle the matter amicably.

22. The majority of land reform laws have lacked in its implementation level. Priority should be given in those areas where these laws are being practiced in tribal areas and effective mechanism should be setup in this regard.

23. New land reform measures are needed to be taken and implemented in line with sustainable environment. Genetically modified crops must be banned in India and more specifically in tribal areas as this contributes adversely to the PH balance of the soil as genetically modified crops consume around ten times the water needed for production of general crops. This virtually and practically reduces the fertility of the soil and makes it unusable after a span of time.

- Forest:

The forest policies as laid down at different times did little for the conservation of the forest and the habitat living in the forest. The tribes are the worse affected in the struggle between protecting their customary rights and the administrative policies. They are not only forest dwellers but also, for centuries, they have evolved a way of life which, on the one hand, is woven round forest ecology and forest resources and, on the other, ensures that the forest is protected against depredation by man and nature.³

Majority of tribes in India are Hill Tribes and primarily resides in the hills in different parts of India. The reasons for choosing such a habitat have been discussed in this thesis before more elaborately in Chapter 3. Primarily hills tribes became affected by the colonial conquests during the process of extraction of forest wealth of the country. The reduction of trees in a systematic fashion by the British policy led to the exposure of tribal land to the British. Even after the independence of our country, the atrocities and displacement of tribes continued with various developmental projects leading to large scale displacement of innocent tribals. Lack of rehabilitation policies and reconstruction of indigenous population has led to the loss of tribal identity which was primarily there in most of the areas. Tribals are mostly found in the hills and the forests as they need a natural and peaceful habitat to live in. That is their heritage and that is their world. Everything surrounding the tribes is their land. They are recognized by their land and believe to live there even after their death. The tribals believe to have a direct nexus with their ancestors. They live with them as they live with their children. This gives them the satisfaction that every human being wants. The tribes shall thrive best in their forest land, in their hills, in the streams of the jungle. Let us pledge

³ Government of India, Report of the Committee on Forest and Tribals in India, New Delhi: Ministry of Home Affairs, 1982, p.ii, 62.

together to do our part to help them to be what they are, how they are and further the balance of the ecosystem. But an effort should be made in this direction to protect the forest, the wildlife, the tribes, in furtherance of the health and prosperity of the country and on the whole the entire world.

- Hills

A number of factors are responsible for the degrading condition of tribals in the hills. A set of reformative measures are essential to be a part of this study to protection of the socio economic interests of these communities.

1. The tribals in the forests have been subjected to various false cases and a number of such cases have piled up in various courts. These false and frivolous cases must immediately be withdrawn to prevent ulterior gains of non tribals over tribals.
 2. Proper legal education should be given to the tribals for they would be able to fight their own cases in the days to come and also would be in a proper position to deal with their representation in the international scenario.
 3. Immediate measures should be taken to prevent the forest produce to be systematically be taken away from the forest. This would provide the forest dwellers with the basic resources they need for their sustainable life. These produce must be acknowledged to be their property and effective measures should be taken to protect them from being otherwise used.
 4. The forest department should take note of the involvement of tribals in various forest related issues rather than giving the job to contractors. The involvement of tribals would definitely provide the needed protection the forests need today.
- Others

Some of the other basic suggestions are given below in seriatim:

1. Incorporating indigenous knowledge in primary education as far as possible.
2. To conduct research for incorporating indigenous way of protection of land and forest in the policy to protect forest and wildlife.
3. To acknowledge that indigenous knowledge is scientific and effective.
4. To protect and provide aid to the aged tribal people who are the storehouse of indigenous knowledge.
5. To treat tribal movements more humanely and effectively to prevent further violation of human rights and constitutional rights of the tribals.
6. To implement the Supreme Court and High Court Judgments in protecting tribal rights.

7. To conduct research for incorporating indigenous ways of protecting the forest land and implement them in the policy formation system to protect the endangered species.
8. To make new laws solely with the objective of protecting various rights of the tribals.
9. To acknowledge the mistake committed by the government by undergoing so many so called developmental projects and to make a comprehensive report on the number of tribals displaced from their motherland. In furtherance of the said research, to make prospective efforts to protect them from further suffering.
10. The tribal way of healing must be looked into as it is both safe and effective with minimum side effects.

Apart from the aforesaid recommendations, it is also suggested that separate team must be framed to study the massive annihilation and uprooting of tribal communities due to developmental projects.

Study must be made to analyze to what extent the tribals are dependent on forest land and forest resources. What has led the tribes to the various movements as against the government and the non-tribal community?

Research must be conducted to bring the concept of sustainable development to bring back the natural way of exploitation of forests. This would automatically be a pro-tribe approach as they are themselves experts in it.

It has to be kept in mind that only short term poverty alleviation program or crisis management policies that are immediately needed, but broader structural development program are also needed, involving the tribals themselves as participants in the developmental process.

In the words of Arundhuti Roy,

“On the one hand, it is seen as a war between modern, rational, progressive forces of 'Development' versus a sort of neo-Luddite impulse - an irrational, emotional 'Anti-Development' resistance, fuelled by an arcadian, pre-industrial dream.”⁴

Thus, while carrying on the task of rehabilitation and reconstruction of tribal affairs in various fronts, a balance should be maintained between the modern and traditional interpretation of development.

⁴ Arundhuti Roy, 'God of Small Things', available at, 103.55.108.22:8080/get/pdf/2146 accessed on Jan 11, 2016