ies who are preoccu-
panied with proce-
dural hurdles that
stall delivery.

Monipalli has more stories to share
about the disconnect between the gov-
ernment functionaries and the people. At
present, only individual family claims are
being settled, he says, and more applica-
tions have been rejected than approved.
Across Jharkhand, till February 2010, only
2,505 families’ claims were approved while
over 3,000 were rejected, against over
25,200 applications filed. The two families
from Palamau were allotted plots ranging
from 0.2-0.4 acres (the average size owned
by villagers is 1.5-4 acres) when then
Governor K Shankarnarayanan came
visiting for a Vikas Meeta on October 5,
2009. In neighbouring Latehar district,
two persons have benefited from the
FRA. With elections on hand, the govern-
ment was keen to show that it had
the tribals’ interests at heart.

VILLAGE activists alike point
to the state forest department of-
cials as being central to the non-
implementation of the FRA. Loathe to give
up their power and hold, villagers allege
that the forest department officials resort
to various devious methods to deny them
rights stipulated under the FRA. Even after
a village completes the process of identi-
fying, measuring and demarcating the
piece of land towards settling claims,
delays crop up when a forest department
official, a mandatory member of the joint
verification team, does not turn up. The
forest department officials however have a
different take on the matter. They say that
applications were not being processed as
few were being received. “We can clear
the applications only when we get them,”
said an official who refused to be named.
Yet another allegation often heard
from the villagers is that the FRA is mis-
interpreted, leading to rejection of their
claims. A common reason for an out-
right rejection is that the applicant’s
house falls outside the forest region. This
deprives a 2008 clarification from the
Union Ministry of Tribal Affairs that the
Act recognises the rights of people “pri-
marily residing in forests” including
those who do not necessarily live in the
forest but depend on the forest for their
bona fide livelihood needs.

Corruption, too, has muddied the
process. Awadh Singh, an activist who
works towards implementation of the
FRA, says that the amin, a government
appointed functionary responsible for
measuring the land claimed by a family,
only demands Rs 1,500-Rs 2,500 from
every family. There are other malpractices.
According to the law, the claims are to be
cleared by the Van Adhikar Samiti (Forest
Rights Committee), a committee of the
Gram Sabha. The committees were set up
in 2008 and the list of members, the sec-
retaries and chairmen were sent to the
district headquarters. In most cases, the
villagers did not keep a copy of the list. A
year and more later, they cannot say who
is on the committee or who the chairman
and secretory are. As a consequence, cor-
rupt government functionaries hand the
responsibility to people they favour.

When Amitabh Shukla, Palamau’s
Deputy Commissioner (DC), the top dis-
Trict government functionary, announced
the settlement of claims of around 170
villagers on April 14, this year, many of
the families that made to the list were
those whose names had been processed
by them or contractors. The villagers,
awed by the presence of the officials, were
browbeaten to accept allotments ranging
between 0.4 and 1 acre (the DC claimed
that the plots “averaged one acre”). The
land originally owned by the villagers was
cut to three to four times this size. Technically,
the Van Adhikar Samiti is the body
authorised to decide claims and govern-
ment servants have to accept its decision.
In reality, this happens rarely.
Palamau division, consisting of the dis-
Tricts of Palamau, Latehar and Garhwa, is
located amidst thousands of square kilo-
metres of dense forest. There is a sprinkling
of towns and hamlets in the area where
Maoists, aka Naxalites, hold sway. Though
there has been no major bloodbath here,
the Naxals have hijacked trains for hours
and blown up tracks. The FRA was one op-
portunity for the government to have won
over people and consequently erode the
support base of the Maoists in these parts.
The way it is going about it, however is
creating further grounds for resentment,
frustration and disaffection amongst the
villagers. Meanwhile, villagers are organ-
ising themselves with support from
activists and intelligentsia to demand
rights due to them. Locals point out that
the attitude of the people towards Maoists
is one of indifference laced with a tinge of
fear. A feeling that could easily turn into
sympathy if the injustice and persecution
by petty functionaries continues.

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