

SUSTAINABLE RESOURCE MANAGEMENT, ADAPTATION
PRACTICES AND FOOD SOVEREIGNTY
(PRESERVATION AND GOVERNANCE OF NATURAL RESOURCES BY
LOCAL INDIGENOUS COMMUNITY)]

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Executive Summary

Indigenous Community has been depending on natural resources (land, forest and water) for their livelihood in very sustainable way since time immemorial. They have been living their life with dignity struggling with the nature .Out of that NTFP helps a couple of months in a year to them. Mahua: flower to seed, one of the important forest produce which gives different food items of the tribal prepared by women and the seeds of it (tola) gives oil for edible purpose and other uses. They are efficient to collect, store and preparation it engaging whole family from child to old in a natural sustainable process. Though there are certain provisions in PESA (provision for Panchayat Extension to Scheduled Area) Act -1996 for fixation of rate and marketing as a central Act, Government of Odisha is not being able to implement it in right way because of the state rule is not yet finalised and never implementing the constitutional mandates which central act entrusted for the betterment of Indigenous Peoples in the country. In spite of all odds, the local communities stand to follow the constitutional structure to fulfil their basic requirement through conservation of the forest themselves. And making others to follow. This means state had recognised the rights but not respected.

They are self organised to protect and conserve the forest following their traditional practices among themselves. Today's climate change threats may mitigate by their effort only. Their local self rule and governance should be more accountable for facilitating the process in terms of rate fixation, marketing and value addition. Federation made by Women self help and cooperatives may more assisting to enhance their financial situation for better living and main streaming of social life of indigenous community. The life with dignity may ensure by their traditional practices and management of natural resources for sustainable use through legal provision of constitutional mandate.

Introduction

Tribal communities with their age-old tradition and technology have been living in forest for thousand years. They have a strong conviction that the forest is belonging to their ancestors who left it for their children and therefore they have a full right over forest. They exploit the forest for their living. They collect food, fodder, and fuel from forest and make fun, feast, and festivals in the forest. The freedom they were enjoying in forest a few decades back is no more. This has been curtailed due to the forest policies primarily for national interest. However, since time immemorial as they have been intimately associated with the forest their perception and culture are forest oriented. The clan, lineage and family organization and the marriage and descent rules are intimately interdependent with forest and forest products, including vegetation and animals. They have their own world view and their creative mind, technology, taboo and totem, art and artifacts, work and worship, medicine and morals, belief system, myths and legends, rites and ritual practices, life and living and all other socio-cultural transactions are the function of their forest interactions. Sacred groves and the abode of deities and spirits are the sacred spots for them. They treat cultivable land and adjacent forest as highly venerated. Differential forest dependencies and food habits indicate the differentiation in cultural practices and patterns. The outcome is obvious that unless community don't exercise to access the resources then there will not be the enjoyment of food sovereignty or preservation of biodiversity in the local forest.

This practice may lead the policy implementer /executive to assert the implementation of pro-peoples provisions so as to eradicate poverty, mal-nutrition, migration, etc and live the dignified life. These issues are rampant in the locality. This example may lead/encourage the other villagers to come forward to have access on forest and assert to preserve the biodiversity and economic sustainability for the benefit of poor as envisaged in the constitution.

Objectives:

To document good practices on sustainable resource management, adaptation practices and food sovereignty

Methodology: The methodology adopted are: i) FGD (Focussed Group Discussion), ii) Interviews iii) Observations and iv) Desk research) structural schedule

For documenting the good practices 4 FGD has been done. There were 12-15 women in all the FGD. For collecting data on the availability of forest resources some interviews has been undertaken. Old age person shared a lot on traditional forest management system. All these are selected because of illiteracy and women being non vocal by nature. And mostly they are not aware regarding the legal understanding.

Indigenous people in India:

The term indigenous refers to originating in and characterizing a particular region or a country. This refers to natives who have been attached to the region years before. Thus, it implies to tribal people and all those analogous to tribal people in a cultural and ecological setting. Depending on the context, the term indigenous and tribal has been synonymously used by United Nations Draft Declaration (1992). In India the terms like adivasi / adyavasi, vanajati, pahadia, adimjati, etc., are often used to refer to the scheduled tribes enlisted under Article 342 of our constitution. The ILO in 1989, and subsequently the United Nations, affirmed that indigenous tribal people who can be identified in particular geographical areas by the presence of the following features in varying degrees:

- a) A close attachment to ancestral territories and to the natural resources in these areas;
- b) Self identification and identification by others as members of the distinct cultural group;
- c) An indigenous language often different from national language;
- d) Presence of customary social and political institutions and
- e) Primarily subsistence oriented production. (Davis 1994)

India has the largest concentration of tribal people anywhere in the world except perhaps in Africa. The prominent tribal areas constitute approximately about 15 per cent of the total geographical area of the country. The main concentration of tribal people is the central tribal belt in the middle part of the India and in the north-eastern states. However, they have their presence in all states and union territories. There are nearly 533 tribes (with many overlapping types in more than one State) as per notified Schedule under Article 342 of the Constitution of India in different States and Union Territories of the country with the largest number of 62 being in the State of Orissa.

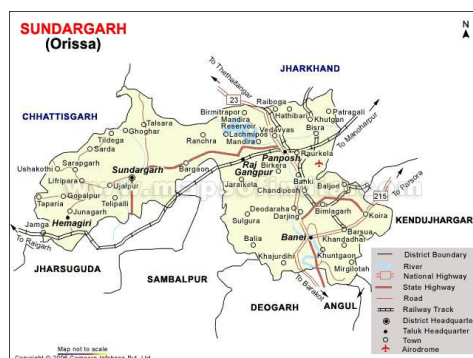
Indigenous people in Odisha:

The state of Orissa actually has 62 Scheduled Tribes representing 23.21 percent of its total population and ranks second in India in terms of total tribal population next to Madhya Pradesh (Census 2001). The note worthy feature is that out of 62 tribes, 12 are declared as the Primitive Tribal Groups (PTG) as they are most backward and vulnerable in terms of development indicators. The tribal population has increased from 42, 23,757 in 1961 to 70, 32, and 214 in 1991. The tribal communities like Santal, Gond, Ho, Birhor, Koya, Kondha, Bhumij, Kharia and Oraons live beyond the state political boundaries of the States. Many are reported that their perception and attitude towards forest is complementary by nature. The state carries 16, 20 and 22.21 percent of Scheduled Caste and Scheduled Tribe population respectively. The districts dominated by tribal communities are Mayurbhanj (44.87%) Koraput (50.67%) Sundargarh (50.74%), Keonjhar (44.62%) Deogarh (33.31%) Gajapati (47.88%), Jharsuguda (33.88%) Kandamal (51.51%) Malakangiri (58.36%) and Sambalpur (33.08%) .

Indigenous people in Sundargarh and Subdega block

The study is conducted in the Sundergarh district of Odisha state. Sundergarh, one of the 30 districts of Odisha, located in the northern extremity of Orissa, lies between 21°32' and 22° 32' north latitudes and 83° 32' and 85° 22' east longitudes. Total Geographical area of Sundergarh district is 9,71,200 Hector. The population of the district is 2,080,664 and of this population, tribal constitute around 51% (Census of India, 2011).

Sundargarh district was constituted on the 1st January, 1948 out of the two ex-States of Gangpur and Bonai, which merged with Odisha on that day. True to its name, this “beautiful” district of Sundargarh with forest cover area is 4232.57 square kilometer which is about 43% of its total area and it is the second largest in accounting for 8.53% of state under forest cover. And numerous colorful tribes dotting its landscape and with abundant mining potential are bounded by Ranchi District of Jharkhand on the North, Raigarh district of Chhattisgarh on the west and North-West, Jharsuguda, Sambalpur and Angul District of Odisha on the South and South-East and Singhbhum District of Jharkhand and Keonjhar District of Odisha



on the east. Subdega is one of the block of Sundergarh district. Khadia, Munda, Oram, Dalki, Khadia, Bhujan, Gond and kisan are the main tribe residing in this block.



The situation of indigenous women in Subdega Block:

Indigenous people are mostly depending on agriculture and forest produce. Their basic livelihood revolves around the forest produces which supplements their life. The relationship of indigenous people and forest resources is symbiotic by nature and seems to be as old as human civilisation and will continue till human survival. The indigenous people maintain a close relationship with the forest resources available around their habitat. The life way processes of the tribal people reflected in their economy, religion, polity and social institutions cannot be understood without understanding various aspects of forests surrounding them. It is well known fact that Indigenous people are mostly depends on agriculture and Forest produce. The basic food service/offering to all family members is directly goes to women, since morning to evening she starts to collect all raw requirement ie, curry, rice or any kind of recipe are controlled by women only. And mostly collected from forest ie, Fire wood, green leaves, mushroom, oil seed leaves for plates, fruits, fish, meat etc. They also collect different kind of oil seeds like tola, Kusum, and extract oil by the local techniques. As oil seeds are not cultivated in this locality, the total oil requirement for food preparation is fulfilled by the women. Indigenous women spend major times of the day for collection of forest produces. Collection of fuel wood is an important activity. Apart from this they collect different types of green leaves, mushroom, tubers, and flowers for the consumption of day to day life. So we can say the entire economic necessities fulfilled by women of the house. These women also take the NTFP to sale the product in their local hat. In different season they collect different item ie. They earn the money throughout the year which mainly supports the economy of the house. Women are contributing more to the economic sphere of the household. They are collecting NTFPs from the forest like mahua flower, different flower and fruits, Sal leaves, green leaves and mushrooms. They are making bamboo household articles .livestock like



goat and hen also substantiate to their economy. they earns Rs.1500.00 to Rs.2000.00 in a year by selling hen and goat. .Bamboo artisans make plate, rice husker, etc. Household articles.



Sustainable Livelihood Based on NTFP- (MAHUA & Sal leaf)

Indigenous people of Tentulijharia village of Kurume GP of Subdega block have been sustaining their life by forest dependency. Their livelihood is forest based. Major periods of the year (4-6) months, forest resources substantiate their livelihood. Runipani forest is situated near to their village. It is a dense forest, because of the villagers protected the forest since long. It is full of variety of trees and Mahua tree is in ample quantity. So all the villagers collect Mahua flower and Tola for their daily consumption and selling the surplus. A total of 109 families of the village are collecting Mahua flower. Every family collect 2 quintal Mahua flower per year. Women of the families spend more time of the day for Mahua flower collection from the month of February to April. Firstly they clean the area where Mahua flower fell down, they make fire there to wash the grass and the fallen leaves. They pick up the fallen flower and keep it in a small basket. Then they gather the entire mahua flower in a big basket. They bring to the home and dried it. It is dried in own courtyard which is smeared with cow dung and after 2 to 3 days when the Mahua completely dried up, they keep it in just for household consumption, they preserve/kept it in a Mora (which is made in soft paddy straw). When the prices are high, they sell Mahua at nearest market (Panchayat Hat) normally they sell Mahua flower at the rate of Rs. 20.00. per k.g. They have no such knowledge to make value added product. So they sell the raw Mahua flower in the market as per rate fixed by the traders. Gram Panchayat issues License prior to collection of NTFP. It imposes a tax for every item Rs.100/- per year. During harvesting period, if rainfall and clouds happened then Mahua collection is miserable, this is the major challenges.

There are certain suggestions by the community a) Set up Cooperative Marketing Society)Develop Storage facility. c)Training to indigenous people for processing Mahua in to different food items to demand genuine rate. This is the subjects where legally women are given emphasises to directly participate in the conservation and management on the forest governance.

List of NTFPS available in different season:

Summer	Rainy	Winter
Fruits- mango, jackfruit, ,Kendu,Cashew,Tamarind, Char, different nuts, Sal seeds, Incense gums.	Jamun, Makar Dimiri, Varieties of herbal medicine – plants, leaves, roots, flowers.	Kend, Sweet Lemon (Kandhia) Tolo, Mahua, Sal leaves, Kujury(Oil extracted from the seed- Medicinal) Mushrooms, Harida, Anla, Bahada.





Sal Leaf: Sal has a unique place in the tribal communities. Indigenous community has



been worshipping it since time immemorial. It is considered as the sacred groves. In every and each tribal village Sal tree worshipped as *Badamsal*, *Sal shree*, etc in different name. It has worthiest value in tribal society from the religious tradition to their social and economic life. Sal leaf and Sal seed have more market value than others. After the ban on collection of Sal seed, by the Govt, tribal economy limited on the collection of Sal leaf. Sal leaf collection is a major work of the indigenous women. They collect, make plate and *dana* from it. They sell it in the nearer market. They also used Sal leaf plate in their festival. In different community festival and family celebration making of Sal plate is an important work of the women and men. thick stem of the Sal branches used as tooth stick. Indigenous women sell it in the local hat. They earn very meagre money from it. Both Sal leaf plate and tooth stick sold in a bundle. If they prepared Sal leaf plate in more furnished way, then they get benefitted.

Protection and conservation of Forest by Indigenous Community

When people started to assert their rights over forest initially they form the Gram Sabha in their traditional villages and start to protect the forest from timber mafia. They include women in Gram Sabha come for resolving many issues relating to protection of Forest. After that they realized lot of opportunities are generated from this forest. This is Tentulijharia village of Kurumkel Gram Panchayat of Sabdega Block in Sundargarah District. Tentulijharia is a tribal village which is established since 110 years ago. The village comprises of 615 population, out of which Female and male constitutes 395 and 220 respectively. Among the school and college going age group of boys and girls 7 male and 8 female children are in Anganwadi centres, 11 male and 19 female children are in Primary school, 3 girls and 1 boy are in High school, 6 boys and 3 girls are studying in college.

Agriculture and Forest resources are the main source of their livelihood. they have been taking care of Mahua trees, which is their main earning source. They worship the Mahua tree and whole jungle, though the livelihood dependency trees are really living God for them. So

they decided to protect the nearer forest by the inspiration of Samajik Seva Sadan. Now Rulipani Forest is being protected by the villagers. Samajik Seva Sadan has been involved in that process since seven years. They formed a farmer's club named as Jay Birsa Farmers club. Mr. Valerisk Behera and Mr. Kastu Lakra is the president and secretary of the club respectively. They have not got any monetary support



Figure 1 forest protected by community

from Government side. So villagers contribute as per their capacity. They collect (Rs.10/- to Rs.50/-) from each family. There are 60 members. Out of which 39 are men and 21 are women. They have protected 400 hectares of forest land which is more or less dense forest. Now for daily consumption they get 10 to 15 quintal fire wood which is used by the villagers for cooking purpose. Annually 150 to 200 quintal wood used by the villagers for house roof repairing. Now a days protected forest has become quite dense. There is good environmental impact on the People. Non timber forest produce were increased and they started cultivation of lah (Natural Resin) which fetching them more economy with less investment and so on.

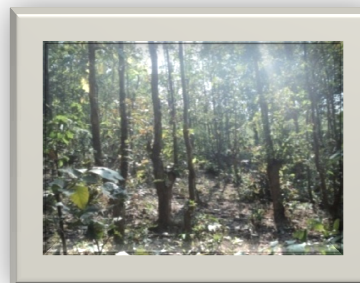


Figure 2 forest protected by JFM

Villager's decision for forest protection for their sustainable livelihood and ecological development for their healthy living.. They have made certain future plans: i.e

- a) extension of more forest area to protect for forest conservation
- b) Development of Water source for wild lives
- c) Strengthen Forest Protection Committee under FRC to watch dog and maintenance of their Forests as their real asset.

Gradually the neighbour villages namely Simdega, Chikatjore, Tentulibahal formed FRC and trying to conserve forests. People obey FRA rules. They are taking only dry wood from forest for house hold consumption. The Villagers are facing certain challenges, Dumuriguda is a hamlet village of Tentulijharia Revenue village and some villagers are stealing fire wood and selling it in market. This practice is to be stopped through strong collective effort.

As per Forest Right Act (FRA) 2006, villagers conducted Gram Sabha meeting, and formed Forest Right Committee(FRC) in the Village. FRC functioned from year 2008. 4 to 5 times meeting conducted in a year. In FRA implementation process 32 persons got Land Patta individually. 23 persons got housing facilities under I.A.Y (Indira awas yojana) and 20 persons (30 Acres land levelling) got land levelling benefit.

It is clearly felt that forest managed by JFM is against biodiversity and once trees are being cut then 100% loss of Forest means it is not sustainable. Presently in many parts

of the state Forest Officials made the VSS (Vana Surkhya Samiti) and projects are being implemented by passing the constitutional body of FRC(Forest Rights Committee) through resolution of JFM(Joint Forest management)

People in this region are practicing the village as envisaged on 4(b) of PESA and accordingly they are exercising the power vested as in 4(d) of PESA which clearly authorised the Gram Sabha is competent to protect, conserve and manages the community resource as per their tradition and custom and hence justifying the Sec-2(a) of FRA.

National laws and Policy for Indigenous people:

(a)Constitutional Provisions on Indigenous people:

The Constitution of India, it may be noted, does not define the term “Scheduled Tribes”. Instead, Article 366(25) refers to Scheduled Tribes as those communities who are scheduled in accordance with Article 342 of the Constitution. According to Article 342 of the Constitution, the Scheduled Tribes are the tribes or tribal communities or; part of or groups

Abhimanyu Majhi- Activist from village (Amar chhua dinu ehi jangalaru sabukichi pau thilu, Ama samanare ehi jangalti landa hebaku jauchhe eesabu dekhi bahut dukh laguthila, Na sarkar na hi kensi NGO itake bachale- “we were getting all kinds of things from this forest but in mean time neither Government nor NGOs protected the forest may be due to non existence of Governance in the locality Forest becoming bald and hence we had taken up ourselves starts to protect.)

within these tribes and tribal communities that have been declared as such by the President of India through a public notification¹.

The Constitution of India provides for a comprehensive framework for the socio-economic development of Scheduled Tribes and for preventing their exploitation by other groups of society. It provides the necessary safeguards for the rights of tribal peoples in Articles 15, 16, 17 and 231 of the Constitution. Article 46 of the “directive principles of the state policy” which are “fundamental in the governance of the country” states:

“The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.”

Further Article 330 of the Constitution of India makes reservation of seats for Scheduled Tribes in the House of People. Article 335 that requires the government to consider the claims of Scheduled Tribes in appointments to services and posts in connections with the affairs of the Union or of a State.

b) The Forest Rights Act

The Forest Rights Act was enacted by the Parliament to recognize and vest the forest rights and occupation in forest land in forest dwelling STs and other TFDs who have been residing in such forests for generations but whose rights could not be recorded and to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. The Act also states that the recognized rights of the forest dwelling STs and other TFDs include the responsibilities and authority for sustainable use, conservation of bio-diversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling STs and other TFDs. The Act also noticed that the forest rights on ancestral lands and their habitat were not adequately recognized in the consolidation of State forests during the colonial period as well as in independent India resulting in historical injustice to them, who are integral to the very survival and sustainability of the forest eco system. The Statement of Objects and Reasons of the Act states that forest dwelling tribal people and forests are inseparable and that the simplicity of tribals and their general ignorance of modern regulatory framework precluded them from asserting their genuine claims to resources in areas where they belong and depended upon and that only

¹ Ministry of Tribal Affairs, Government of India <http://tribal.nic.in/index1.html>.

recently that forest management regimes have initiated action to recognize the occupation and other right of the forest dwellers. Of late, we have realized that forests have the best chance to survive if communities participate in their conservation and regeneration measures. The Legislature also has addressed the long standing and genuine felt need of granting a secure and inalienable right to those communities whose right to life depends on right to forests and thereby strengthening the entire conservation regime by giving a permanent stake to the STs dwelling in the forests for generations in symbiotic relationship with the entire ecosystem.

We, have to bear in mind the above objects and reasons, while interpreting various provisions of the Forest Rights Act, which is a social welfare or remedial statute. The Act protects a wide range of rights of forest dwellers and STs including the customary rights to use forest land as a community forest resource and not restricted merely to property rights or to areas of habitation.. Forest rights of forest dwelling STs and other TFDs are dealt with in Chapter II of the Act. Section 3 of that chapter lists out what are the forest rights for the purpose of the Act. Following are some of the rights which have been recognized under the Act:

- (a) Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;
- (b) Community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;
- (c) Right of ownership access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;
- (d) Other community rights of uses or entitlement such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;
- (e) Rights, including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities
- (f) 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;
- (g) Right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;
- (h) Rights which are recognized under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribals under any traditional or customary law of the concerned tribes of any State;

(h) Right of access to bio-diversity and community right to intellectual property and traditional knowledge related to bio-diversity and cultural diversity;

(i) Any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (j) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal.

Challenges:

- Make the governance structure in Scheduled Areas which fits the constitutional provision
- How to legitimize the genuine understanding shown by legislation and realization that 'Forest have the best chance to survive if communities participate in their conservation and regeneration measures further it has addressed that indigenous peoples right to life depends on the right to forest and hence strengthening the entire conservation by giving permanent stake to the Indigenous People as of their symbiotic relationship with the entire ecosystem.
- Access to get justice because of their distinct culture and limited contact with so called mainstream society
- Design a development model by effective participate and will achieving sustainable development as per their identity, culture and interest

Recommendations:

- To make a review committee regarding the effective implementation of PESA and FRA in its true spirit (As in the FRA in preamble recognized the historical injustice made to Indigenous People and by structural depriving them history is repeating itself)
- Dialogue with policy maker, Executive and indigenous peoples
- Extensive awareness program with Indigenous community and hence it need capacity building of community people on this behalf
- Re-look/Review on development projects in Scheduled Areas as per Indigenous peoples interest

Conclusion: Indigenous Community has a symbiotic relationship with the forest. Their day to days dependency on forest do not degraded the forest. Their collection practices may not harm to the forest, but it is quite sustainable. It is the high time to recognise their forest management practices, and associate them in the management plan of the Govt.

Reference:

- A.K. Sharma Committee on „Issues relating to Minor Forest Produce in PESA States“;
- B.D. Sharma Sub-Committee to draft guidelines to vest Gram Sabhas with powers envisaged in PESA;
- Constitution of India
- PESA Act
- Forest Rights Act
- Supreme Court Judgment dated 18th April 2013
- Letter to All PESA State by A.N.P Sinha, Secretary, Ministry of Panchayatiraj, Govt. Of India for effective implementation of PESA
- The Report of the Expert group constituted by the Planning Commission on „Development Challenges in Extremist Affected Areas“;
- The 2nd ARC in its Sixth Report entitled „Local Governance,: An Inspiring Journey into the Future“;
- Raghav Chandra Committee on „Land Alienation, Displacement, Rehabilitation and Resettlement“.
- The Standing Committee on Inter Sectoral Issues relating to Tribal Development on Raising Standards of Administration in Tribal Areas (known as Mungekar Committee);
- The Seventh Report of the Second Administrative Reforms Commission, (2nd ARC) „Capacity Building for Conflict Resolution“;