

The Times of India, Mumbai, 07 Jul 2008

Tribe faces eviction for failing to stop forest fire

Kanis Have Forfeited Their Right To Stay: TN Forest Dept

Nitin Sethi | TNN

New Delhi: If one day you 'fail' to help the fire service in dousing a fire in your neighbourhood or do not assist the police in catching a dangerous culprit, should you be turfed out of your house in order to be taught a lesson?

The Tamil Nadu forest department seems to believe so. It feels they have the legal power to eject irresponsible citizens from forestlands, even if this were not so easy in cities.

Underlying the move by the forest department to target the scheduled tribe, Kani, on the grounds that its members were lax in preventing a forest fire seems more an attempt to displace them from the forests in violation of the recently operationalised Forest Rights Act than anything else.

In an astonishing notice sent to Kanis of Kalakad Mundunthurai Tiger Reserve (KMTR) the forest department has claimed the scheduled tribe forest dwellers have forfeited their right to stay in the forests as they allegedly did not help the department officials in preventing a forest fire that they are 'required to do' under the Tamil Nadu Forest Act. The notice, sent by the deputy director of the tiger reserve, also blames them for not providing any 'useful information'. In the notice, in Tamil, the forest department has said: "Only those who respect the law and assist the Forest Department



FUELLING CONTROVERSY

are eligible to live and obtain rights in the forest".

The deputy director of KMTR, C Bhadrasamy, told TOI, "We were short of staff when the fire occurred but they did not come to help so we sent them the notice."

The Kani, now a scheduled tribe, were forcefully brought to the forests under the colonial rule in 1910 to run their and the then zamindar's plantations. Some of these Kanis now live in four hamlets in the heart of what in 1962 was declared a tiger reserve and eke a living out of the forest.

But, today Kanis are politically

more conscious and connected. They sent a reply to the deputy director accusing him of mala fide intent. They pointed out that the Act did not apply in the region because it was a tiger reserve. They alleged that the official had criminally threatened them before sending the notice and that the notice had been sent to the entire Kani community and this, together with other Acts, violated the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

But hinting at the underlying motives, they pointed out that trouble began when they protested against declaring the reserve as a critical tiger habitat (which would allow the government to relocate them) under the Wildlife Protection Act, in violation of the laws and by ignoring the Forest Rights Act, that would give them legitimate rights in the forests they have lived in now for decades.

Curiously, the deputy director wrote back to them warning that their letter was in English so he presumed the 'tribals' didn't even know what they had written. He warned that if they accepted they were aware of what they had written, he would take action against them for using 'bad language' against him.

Talking to TOI, the official presented an odd defense, "They have problems with the non-implementation of the Forest Rights Act by the TN government, but they are targeting me, so I wrote to them."