

SESSION -151

**POPULATION AND ENVIRONMENT: LOCAL AND REGIONAL
PLANNING CHALLENGES**

**Forest Legislation, Tribal population and Planning in
Eastern Tribal Belts of Gujarat**

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Abstract

India under British rule enacted Indian Forest Act, 1927 after initial forest legislation laid in 1878, which allowed Indian State to expand the commercial exploitation of Forest while putting curb on local use for subsistence. When India attained independence in 1947, it retained the Indian Forest Act, 1927 without introducing any alternations to it. Subsequently however, the Indian Forest Policy, Forest Conservation Act and Forest Rights Acts were formulated by Indian Government in 1952, 1980 and 2006. This changed the fundamental principle from denying customary rights of forest dwellers to allowing forest rights to cultivate and utilize forest produce for their own usage. Gujarat has enacted subsequent state laws in order to govern eastern tribal belt of the state. This paper presents an analytical account of the processes, changes and impact of such laws in the tribal belt of the Gujarat State, with the view to account the changing tribal population and regional planning of Eastern Region of the state. The paper based on the primary interview and secondary data analysis.

Section - I Introduction

India under British rule enacted forest laws, from setting of up Forest Commission in 1878 to present Indian Forest Act, 1927 which allowed Indian state to expand the commercial exploitation of forest while putting curb on the local use for subsistence. India after independence in 1947 carried the British legacy in forest management. Subsequently India had forest policies of 1952, Forest Conservation Act in 1980, Forest policy formulated in 1988 and recent the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (also known as Forest Rights Act 2006). The recent forest policy changes in the country has changed its perspectives from denying tribals or forest dwellers their individual as well as community rights to accepting their private rights over the government owned forest lands. The action of governments calls for careful distinction and application of concerns of tribal people as well as environmentalists in safe guarding the natural resources of state for the future.

This paper presents a case study of Forest Rights Act implementation in Gujarat State, India, where in the Eastern Gujarat is populated by tribals traditionally living and cultivating the forest lands. The Forest Rights Acts (FRA), 2006 accepts the application of the tribals and forest dwellers for the allocation of the forest lands traditionally being cultivated by them. Under the provisions of the act the people need to submit the proof of cultivation and forest land utilization by the way of submitting forest fine receipts, affidavit regarding the nature of cultivation and hereditary rights to the land in question. This act is applicable in all the states of the country for the tribals as well as traditional forest dwellers.

The paper presents a situation analysis of the legislative changes and process of land allocation within the Gujarat State. The paper investigates the process, mechanism and achievement of the state in dealing with environmental as well as peoples concern in the forest regions. An approach to regional planning for the tribal region is being envisaged with the premises that an effective regional planning for the eastern tribal belt would be required to overcome the outcome of this Act.

Methodology

This paper, presents the legislative changes in Forest Areas introduced by Central and State Government with reference to Gujarat State and a Primary account of the struggles of people of Gujarat State for their demand to control over natural resources. It also attempts to present the land allocation process in the state under the Forest Rights Act, 2006 and a brief summery of the regional planning requirements of the forest areas with respect to forest dwellers.

For the purpose, the paper is based on the review of literature for the legislative changes, primary interview and observation from the various parts of the eastern belt of Gujarat. Field visits were conducted in the forest regions of eastern belt of the state, particularly in Sabarkantha (Modasa), Vadodara (Sankheda and Kawant), Narmada, Bharuch, Valsad and The Dangs districts. The nature of visits was informal and with the intention for enhancing the field knowledge about the present implementation of the Forest Rights Act.

Population Characteristics of tribal population

The population of Gujarat has increased from 9.1 million in 1901 to 50.05 million in census year 2001. The compound annual rate of growth (CARG) during the 1950s, 1960s and 1970s was fairly high, but declined considerably between 1971 and 1991, from 2.6 per cent between 1961-71 to 2.4 per cent between 1971-1981 and to 1.9 per cent between 1981-1991. As per 2001 census, the tribal population constitutes 14.8 percent of the total population of the state, accounting 8.9 million people. The state has identified about 44 taluka (blocks) and cluster as predominantly populated by Scheduled Tribes or ST (as scheduled in Article 342 of Constitution of India) in 25 districts of state (See *Annexure-I*).

About 60 percent of the tribal population of Gujarat state is concentrated in the eastern tribal regions constituting hills, plains and coastal regions of mainland Gujarat. The distribution of the tribal population as part of scheduled areas (constitutional provision) can be traced from the northern part of Banaskantha, eastern hilly tracts of Sabarkantha, entire Dahod, Godhra and Panchmahals, Central Plains and Eastern hills of Vadodara district, Narmada, Eastern Surat, Tapi, Valsad, Navsari and The Dangs districts of the state. This region comprising of hills and foothills of Aravali and Satpura ranges also encompasses the forest regions of the mainland Gujarat (See *Figure-I*).

The five primitive tribal groups located in Gujarat these are Kotwalia, Siddhi, Kathodi, Kolga and Padhar out of these except Siddhi's¹ rest can be located in the mainland Gujarat,

¹ Siddhi, tribes are settled in Saurashtra region of state, mostly in Junagadh district.

including Padhar (Ahemedabad and Surendranagar), Kotwalia (Tapi and Surat, Vapi), Kathodi (Surat and Tapi) and Kolga (Valsad).

The Rajpipla hills in Narmada districts are settled by Bhils and other tribes, the eastern boundary of the hills in Songadh and Vyara taluka in Tapi district is also hilly and is inhabited by Gamits, Chodhras, Vasava, Kotwalia and other tribes. The hilly areas of Bansda and Dharampur taluka in Valsad district are also inhabited by Gamits, Vasava, Dubla tribes. The Hansot and Vaghra taluka in Bharuch districts are populated by Dublas.

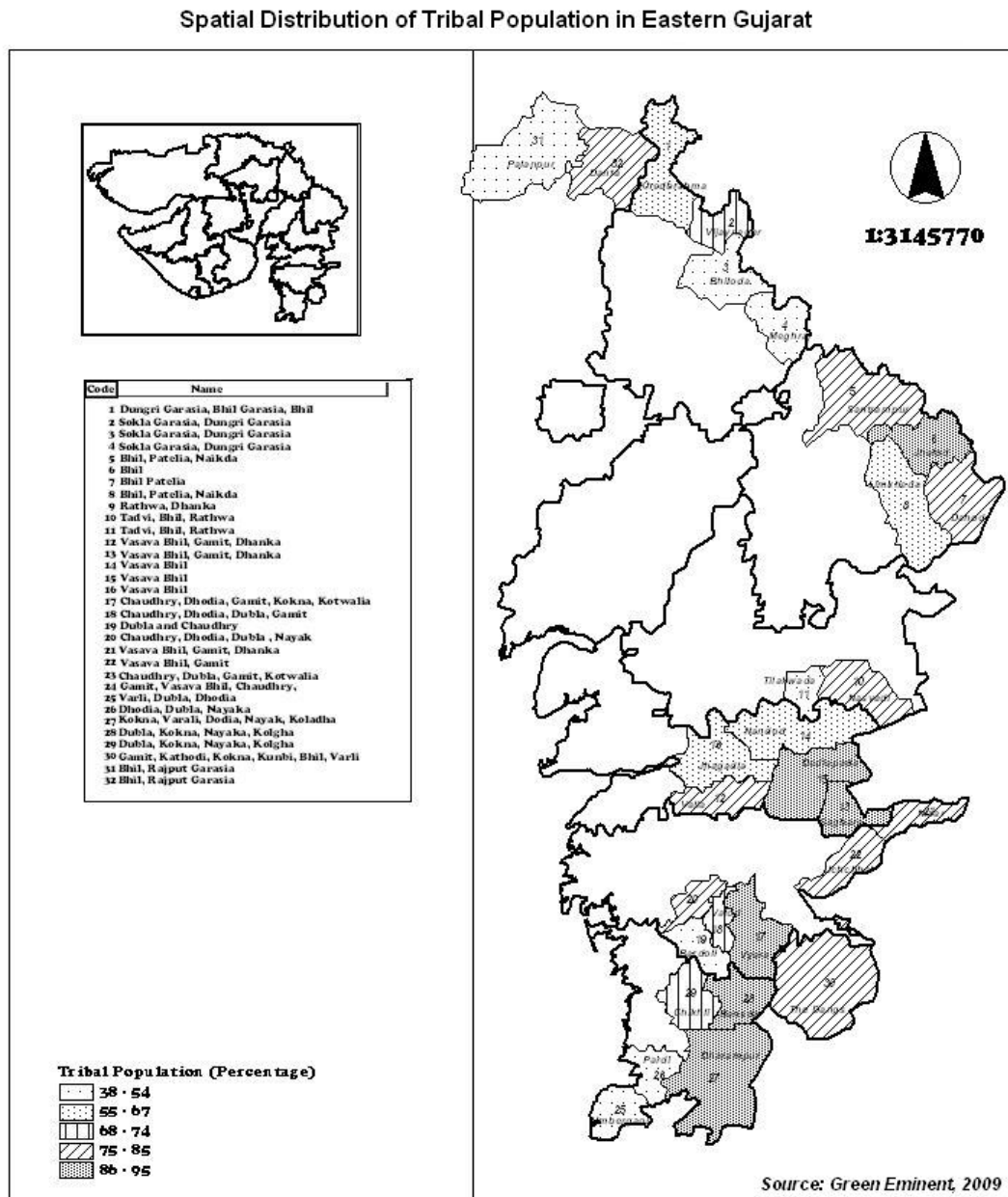


Figure – I: Distribution of Tribes in Eastern Gujarat

The scheduled tribes (ST) are mainly landless poor forest dwellers and shifting cultivators, small farmers and pastoral and nomadic herders. The incidence of poverty amongst scheduled tribes, still continues to be very high in Gujarat which at 47.30% in rural areas and 33.30% in urban areas, compared to all India average of 28.30% and 25.70% respectively in year 2004-05. It is estimated in the year 2001 census for Gujarat that 81.56% of the total ST workers, both rural and urban taken together, are engaged in the primary sector, of whom 44.71% are cultivators and 36.85% are agricultural labourers. The corresponding figures for all workers are 31.65% (cultivators) and 26.55% (agricultural labourers). This indicates that tribes of the state are essentially dependent on agriculture related activities.

Forests in Gujarat

The forest area in the state was 11,645 sq. km during the year 1960-61. According to Forest Survey of India (2001) the forest in the Gujarat state covered 7.7% of total Geographical Area extending upto 17560 sq.kms. As per the current assessment (2004), 'Forests of Gujarat extend over an area of 18961.56 sq. km and constitutes 9.66 percent of total geographical area of the State with per capita forest area of 0.04 hectare against national average of 0.07 hectare.'¹ Eastern tribal region of Gujarat state has 60% of the total forest area of the state. The per capita forest area in this eastern tribal region is 0.2 ha (Figure-II).

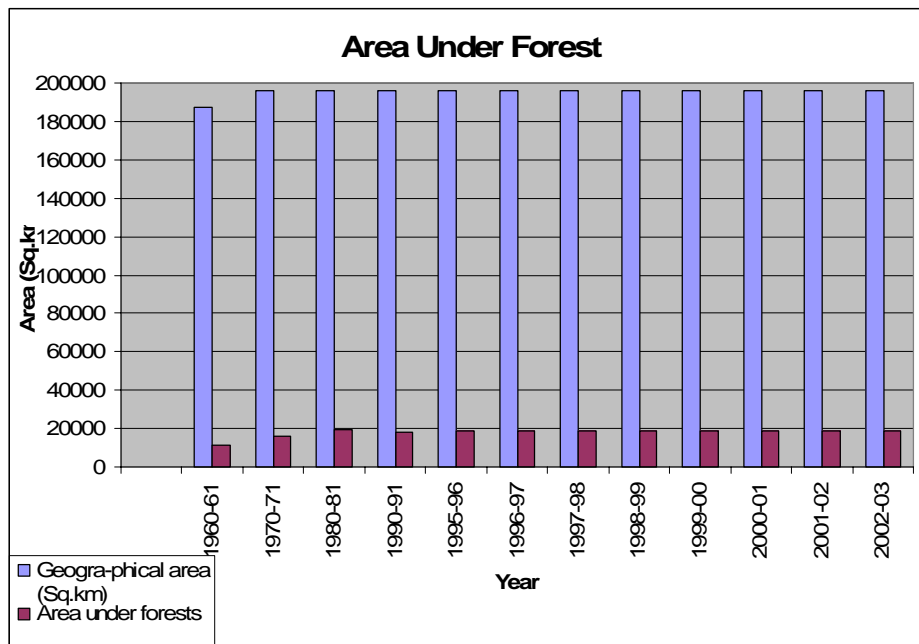


Figure-II: Changes in Forest Areas of Gujarat state (1960-61 to 2002-03)

Type of Forest in Eastern Tribal Districts

As per the information available from the forest department website², the state has two distinct typologies of forest in the study areas which department classifies as under:

Type 3B Tropical moist Deciduous Forest

These forests occur in the regions having an annual rainfall of over 1200 mm and are found in the Southern most part of the state in the districts of Surat, Valsad and Dangs. These forests form the main source of commercial timber in the state. Teak, Haldu, Sisam, Khair, Katas, Manvel etc. are the main species of these forests.

Type 5A Tropical Dry Deciduous Forest

These forests thrive in the region having the rainfall between 600 mm to 1200 mm. These forests are found in the central part of the state in the districts of Bharuch, Vadodra, Panchmahals, Sabarkantha and parts of Saurashtra in the districts of Amreli, Junagadh and Jamnagar.

Of the villages in the eastern districts about 32 percent has forest, more than 40 percent of villages in Valsad, Navsari, Bharuch, Narmada, The Dangs and Sabarkantha districts have forests. With exception to The Dangs districts where in 100

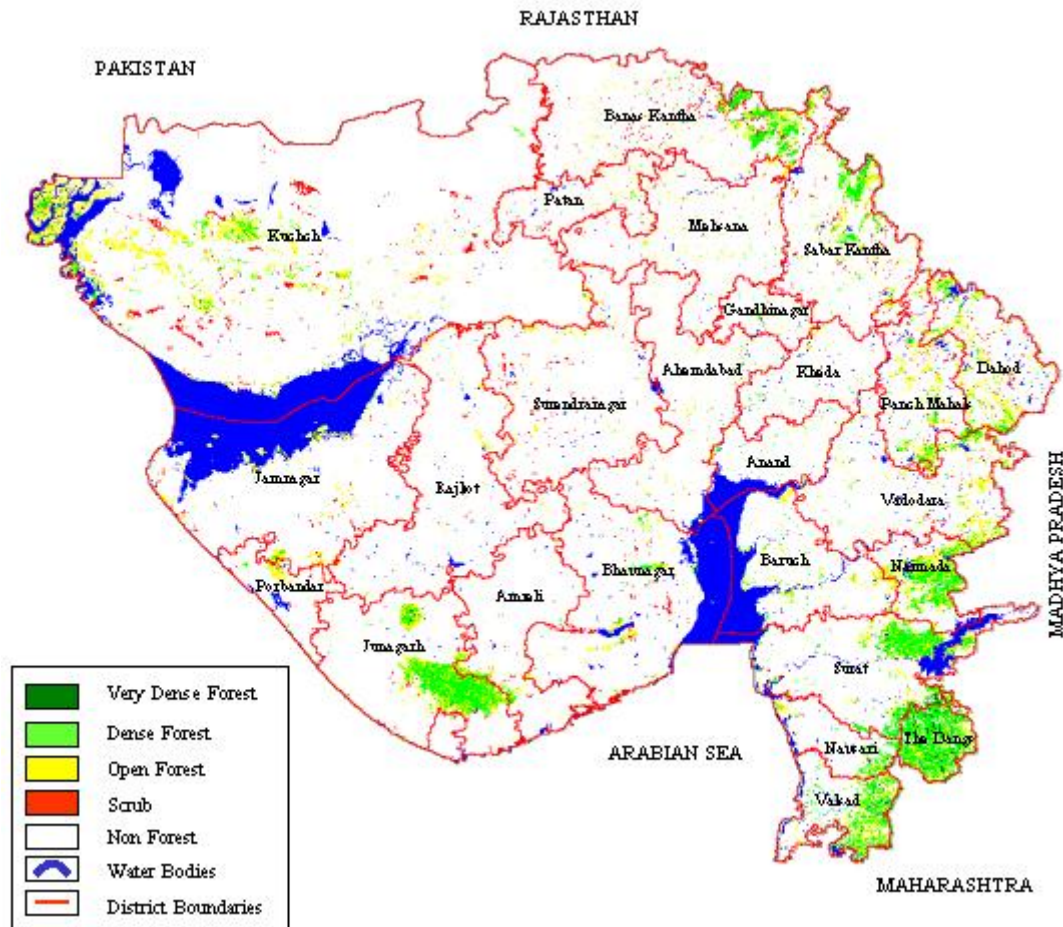
Table I: Villages with Forest in Eastern Districts of Gujarat State.				
Sr. No.	Eastern Belt	Total Village	Village with Forest	Percentage of Village with Forest Cover
	(Districts)			
1	Valsad & Navsari	830	383	46.14
2	Surat	1281	333	26.00
3	Bharuch & Narmada	1039	430	41.39
4	Panchmahals & Dahod	1909	674	35.31
5	Vadodara	1713	378	22.07
6	Sabarkantha	1364	564	41.35
7	Banaskantha	1246	281	22.55
	TOTAL	9402	3021	32.13
<i>Source: Forest Department, 2009</i>				

percent of villages have forests. About 145 villages in the state are declared as forested villages having 100 percent land under the forest or forest department.

The exclusive forest areas under the reserve and protected forests are management by the state forest departments. There is restriction of human activities in these areas. Thus raises the question of livelihood of the people residing in these villages.

Figure III: Forest Cover Map of Gujarat

Source: www.fsi.nic.in/sfr2003/gujarat.pdf (Not to scale)



Most of the forests in the state are located in the eastern hilly regions of the state (see *Figure -III*). The hilly tracts have seen increase in the forest cover over the years due to successful implementation of working plans of the state forest department. The increase in the forest cover may be due to plantation for the exploitation of the forest for the timber or other commercial usages. However, degradation has also been reported in the dense and moderately forested areas of the state by the Forest Survey of India in 2004.

Section-II Insight into the Forest Legislation

As a part of investigation it is pertinent to look into the changing forest legislation in the country, specifically with reference to the Gujarat state. The forest though under the state subject, has significant bearing on the livelihood and rights of the tribal people. The state follows the guidelines laid under the national policies.

The Forest Policy, 1952 declared that village communities should in no event be permitted to use forests at the cost of 'national interest', which was identified with defence, communications and vital industries. It wanted forests to be used to produce valuable timber for industry and other national purposes. The policy stated,

“The accident of a village being situated close to a forest does not prejudice the right of the country as a whole to receive benefits of a national asset. The scientific conservation of a forest inevitably involves the regulation of rights and the restriction of the privilege of users depending upon the value and importance of the forest, however irksome such restraints may be to the neighboring areas..... While, therefore, the needs of the local population must be met to a reasonable extent, national interests should not be sacrificed because they are not directly discernible, nor should the rights and interests of future generations be subordinated to the improvidence of the present generation.” (Planning Commission, 1998, p.22)³

This anomaly was corrected by the new Forest Policy announced in 1988 by Government of India which was radically different from the two previous policies. According to the policy,

“Forests are not to be commercially exploited for industries, but they are to conserve soil and the environment, and meet the subsistence requirements of the local people. The policy gives higher priority to environmental stability than to earning revenue. Derivation of direct economic benefit from forests has been subordinated to the objective of ensuring environmental stability and maintenance of ecological balance. It discourages monocultures and prefers mixed forests. The focus has shifted from ‘commerce’, and ‘investment’ to ecology and satisfying minimum needs of the people, providing fuel wood and fodder, and strengthening the tribal-forest linkages.”(National Forest Policy,1988)⁴

The provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, vide its implementation since January 2008 seeks to further enhance the rights of tribes on the forest lands. The act apparently seeks to rectify an “historical injustice to the forest dwelling STs and other traditional forest dwellers”. The act grants the “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 Tribes or other traditional forest dwellers”. (Act Chapter 2, Article 3a)

The act granted the “right of ownership, access to collect, use and dispose of minor forest products that have been traditionally collected within or outside village boundaries” to the STs and traditional forest dwellers, even in the areas deemed protected areas. This was a great relief, as most forest dwellers live in perpetual fear of being booked for forest offences.

The Implementation Process of FRA, 2006

The state government has formed a committee at the level of village known as Forest Rights Committee, Taluka or Block level committee, District level committee and state level committee. The village level committee will access and recommend the claim of the applicants which would be accepted by the upper level committees. The forest department and the environmental ministry personals would prepare their documents either to accept or the reject the said claim. The government agencies at the central and state level is implementing this act as per the democratic principles

enshrined in the Indian constitutions. The Gujarat state has so far received 55,000 applications from the forest dwellers in the state. The whole process was supposed to be completed by December 2008.

The people welcoming the act have a three-pronged argument:

(a) In India the STs and forest dwellers have traditionally occupied the lands for centuries and the recognition of their rights to the lands are long overdue. It is estimated that at present about 40 lakh tribal and forest dwellers have no legal status to their land [Jain 2006]⁵. Without any legal documents to the lands they occupy, cultivate, graze their cattle on, use for their 'nistar', fear of forced evacuation for development of sanctuary and national parks makes them extremely vulnerable.

(b) The government's thrust on conservation, with the Forest Conservation Act (FCA) (1980) and the antique and archaic Indian Forest Act (1927), has not led to the protection of forests. In fact, it is estimated that since 1980, 40,000 ha of land has been diverted annually for non-forestry purposes [Gupta 2006]⁶; during the period 2001-06 alone, 5.73 lakh ha were diverted for non-forestry projects.⁷ These figures are worth comparing to the fact that when the Forest Conservation Act (1980) came into force, 1.41 lakh people occupying 1.81 ha of forest land became encroachers in Madhya Pradesh. Many of them were engaged in prolonged court battles, which itself caused an extensive drain on forest resources [Ramnath 2001],⁸ and

(c) It is a fact that secure tenure rights for land would encourage sustainable management of the land. This fact has been proved by research in several communities in many parts of the world; forests around villages practising community forestry in Mayurbhanj, Orissa, are in a far better state than those managed by the state. Sacred groves in several parts of tribal India have been traditionally protected by communities; vice versa, degraded groves are usually a symptom of local communities intruded upon by outside government influences [Ramnath and Savyasaachi 2001].⁹

Even if such examples, of people caring for their land, are not so obviously visible, the opposite is striking and common. People without 'pattas' to their land – the bulk of tribal people in large parts of Gujarat, Madhya Pradesh, Chhattisgarh, Orissa, Maharashtra and Jharkhand – who work on other people's lands or clear small patches of forest to cultivate, do not show any affinity to sustainable use of resources.

Opinions against the Act

Some people and organisations fear that the act will undermine the state of India's fast dwindling forests and wildlife or create other forms of social turmoil. They point out that, According to some calculations, giving away even 2.5 ha of land to the STs and forest dwellers will add up to 15 per cent of India's forest area [Dang 2005]¹⁰, which we cannot afford to lose.– If the act holds true for the National Parks and Wild Life Sanctuaries, what then? As most of the parks and sanctuaries are not yet notified, these cannot be constituted in areas with traditional rights where the '*gramsabha*' (village administration by people) will be the governing authority.

Conservation, in terms of increasing inviolate areas, will diminish all over the country, except for the areas declared as “critical wildlife habitat”. In forest areas where the act will be in force, the non-tribal forest dwellers will dominate the tribal population. Within villages social tensions may arise if certain communities are not granted the status of a ST or forest dweller, despite similar histories and livelihood practices in the region. In the case of communities that practice ‘*jhum*’ cultivation (shifting cultivation), on lands that are regarded as a common property, any limit to land (whether 2.5 or 4 ha) will be impossible to monitor; similar problems will arise in the case of pastoral communities that return seasonally to the same lands.

Issues concerning implementation of the FRA Act

Some of the potential drawbacks of implementing the act are– The condition that only those families that can prove residence in an area for over three generations (where generation means “a period comprising of 25 years”) before December 2005 may be difficult for some tribal families, especially if they have moved often within their traditional forest zone for whatever reason (cultivation, bad spirits, clan feuds).

The act applies primarily to those who depend on forests or forest lands for bona fide livelihood needs; the term bona fide is explained, in the rules provided, as “fulfillment of sustenance needs of self and family through consumption and/or sale of produce from forest land or forest-based uses, and stones and fuel wood for house or household purposes”; this does away with the status and sustainability of a product in various regions of the country.

The act confers upon the forest dwellers the rights to protect, regenerate or conserve or manage any community forest resource, but does not provide them any powers to do so; however, the rules clarify that “the gram sabha shall initiate a process of determination of the nature and extent of rights over community forest resources where evidence mentioned in sub-rule (3) of Rule 31 shall be taken into consideration”.²

Moreover, community forest resources may be in “reserved forest, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access” (Act, chapter 1, 2b).

Forest and Livelihood in Eastern Tribal Region

It is estimated that out of estimated 80 lakhs tribals in Gujarat state about 12 lakhs working population migrate to different part of the state and country. The question of livelihood is often asked by the NGO who had been working for the welfare of the tribal communities in the state. One of the prominent NGO, DISHA³ in their key documents states that, ‘*The Forest Act of 1927 and its amendments officially declared*

² The sub-rule (3) referred to above concerns Community Forest Resources, the evidence for which includes a wide range of elements, such as nistar areas, areas where most of the non-timber forests products (NTFPs) are gathered, fishing grounds and other irrigation systems, sacred spaces, government records and places of traditional agriculture.

³ DISHA, organization based on Ahmedabad has been working for the land rights of people in the state. They have been actively involved in the reviewing and protesting against the unjust land related policies of the state. The success of FRA, 2006 in Gujarat has been shared by DISHA and Adivasi Mahasabha, two leading NGOs working for the tribal rights.

the forested areas of the Gujarati tribal belt under the control of the Indian government. The Gujarat government subsequently cleared vast forest lands for lumber using tribal labor; the plan to plant trees to reforest the felled areas failed, leaving the forests clear to this day. The tribal population continued to cultivate this land, despite its degradation and poor soil quality, because of increasing population pressure and a lack of cultivatable land. Low rainfall and the lack of capital to purchase agricultural inputs aggravated the situation and economic hardship, while the declining forested areas led to a decline in income from forest goods and alternative employment. In the 1960s and 1970s, the Gujarat government began declaring much tribal land as reserved forests to be reforested. Moreover, irrigation projects submerged 15% of the ever diminishing tribal lands. With no other option, the tribals continued to cultivate the reserved forests and became encroachers on their own property.'

Forest Land to Forest dwellers

It is unfortunate that for several years atrocities were committed on tribal peasants, who are trying to keep away starvation and deprivation by cultivating the only available land near their village which was claimed by the forest department as its land. Many tribals claim that they are original inhabitants of these forested lands. Several anthropological studies have documented, how the tribals lost their land and forest right, how even subsistence cultivation by them are treated as land encroachment. In the process, they are fined, forced to pay bribes, beaten up and arrested, just for trying to obtain minimal food security from the land and forests surrounding their village.

As per the reports presented by the Times of India (Feb 2008), out of the total forest areas state has given about 5 per cent of its forestland for forest people, development projects, displaced and project affected persons. The figure is pegged at close to one lakh hectares (or 1000 square kilometres), of which over 30,000 hectares has gone to cultivators, mostly tribals living on the forest fringes across the state. The rest of 70,000 hectares lands were diverted from the forest areas for non agricultural activities including transportation, industries, roads, communication, etc.

The first massive regularisation for the tribals took place in 1972, leading to 10,900 hectares of forestland being given to 11,166 beneficiaries in the state. The demand for regularisation started building up again after a decade, making the state government bring a resolution nearly after two decades in 1992. This cleared the claims on forestlands till 1980, the year that the Forest Conservation Act was passed, putting a cap on further regularisations. This round saw 21,082 hectares of land distributed to another 34,441 tribals, with the settlement continuing till the year 2000-01. This takes the total to 45,607 tribal cultivators and 31,983 hectares of land since the formation of Gujarat in 1960. The Ministry of Environment and Forest, Government of India in figures provided in year 2004 states that Gujarat has 36556.400 hectares forest land encroached by people. Of these from 14416.860 hectares land encroachment was removed from May 2002 to March 2004.¹¹ Till March 2004 22139.540 hectares land was encroached by the people. The large amount of land would have estimated dependency of 30,000 families living in the forests or on its edges.

As per the data from the Government of Gujarat prior to the implementation of FRA 2006, the state government had agreed to transfer land rights to the forest dwellers.

This was due to numerous people's movements related to forest rights by tribal rights groups led by DISHA, in North and Central Gujarat and Adivasi Mahasabha in south Gujarat. The efforts of NGO action since 1980s till later part of 1990s have resulted in public acceptance of tribal rights by the government.

Table: Forest Land Cultivators Eligible for Land Title in Gujarat					
<i>District</i>	<i>No. of Villages</i>	<i>No. of Farmers Eligible for Titles</i>	<i>Cultivated Land in Ha</i>	<i>Percentage of Total Eligible Areas</i>	<i>Percentage of Dist. Forest Coverage</i>
Banaskantha	92	1744	10284.39	17.33	0.010
Sabarkantha	198	3059	2526.49	4.26	0.003
Panchmahal	518	21034	20652	34.80	0.046
Vadodara	232	8265	8343	14.06	0.011
Kheda	25	1092	980	1.65	0.002
Bharuch	313	5110	6294	10.61	0.010
Surat	80	511	1733	2.92	0.002
Valsad	311	20968	8418	14.18	0.028
Dangs	39	167	117.6	0.20	0.001
Total			59348.48	100.00	0.011
Source: Bharat Dogra, Conquering Fear Protecting Livelihood: Struggle for Gujarats Subsistence – Peasants for Land and Human Rights, DISHA, Ahmedabad, 2003-04, Website : DISHA					

As per the estimates presented by DISHA- an NGO, government had agreed in year 2004 to grant land title to approximately 60,000 farmers in the eastern tribal region of the state comprising more than 45,000 hectares of land. But after implementation of the FRA Act since year 2008, the state governments have re-invited the claims from forest dwellers.

Operation of Forest Rights Act in Gujarat

The Gujarat government has imposed some additional conditions for recognizing rights over cultivated forest land. In particular, those owning some revenue land, or who have already received '*pattas*' (land parcel) to some forest land under the earlier 1992 Government Resolution, will be eligible to rights over a maximum of 10 acres including the land already in their name. The justification was that is the land required for meeting livelihood needs of people. The government has also issued instructions that those holding jobs will not be eligible, though apparently an exemption is being made for those in "very small time" jobs.

The government had granted time till December 31st, 2008, for both individual and community claims to be filed, but this was extended to June 30th, 2009 and is likely to be extended further. Community rights mobilizations have taken place, and around

70% of villages, with the help of NGOs have filed community claims so far, including over shared community forest resources. However, the government and the Forest Department have been engaging in a campaign intended to confuse people into equating community rights with the development rights under section 3(2) of the Act (to roads, schools, anganwadis, etc.). This is meant to prevent people from filing community claims to forests, minor forest produce etc (CSD, 2004).¹²

In January 2009, the Gujarat government made an announcement that no titles to individual lands would be given and instead the land would remain forest land, while the rights holders would be given a "certificate" of their rights.

As per the information received from the Tribal Development department (June 2009) it has received 1,57181 individual claims, 48,386 claims verified, 22,524 claims referred to sub-divisional committee and has approved 2,091 claims for the land under the Forest Rights Act.

<i>District</i>	<i>Forest Area (Sq.Km), 2003</i>	<i>Forest Area (in Ha)</i>	<i>Present Estimated claimants*</i>	<i>Min Area @ 2ha per farmer</i>	<i>% Areas</i>
Banaskantha	9,858	98580000	2000	4000	0.004
Sabarkantha	7,390	73900000	8000	16000	0.022
Panchmahal	4,461	44610000	25000	50000	0.112
Vadodara	7,794	77940000	10000	20000	0.026
Kheda	3,980	39800000	2000	4000	0.010
Bharuch	6,458	64580000	6000	12000	0.019
Surat	7,657	76570000	25000	50000	0.065
Valsad	3,029	30290000	20000	40000	0.132
Dangs	1,762	17620000	25000	50000	0.284
Total		523890000	123000	246000	0.047

*Likely claims as per the estimated range by field assessment (figures rounded),
Based on Discussion and Field Assessment

During our field visits to the Dediapada, Umarpada, Dabhoi, Vadodara, Sankheda, Navsari and Chota Udepur of the south-eastern highlands of the state we could assess the fear of the tribals who would be loosing the access to the forest land by excessive encroachment by the forest department. They often constitute the opinion that, the departments have annexed their region, including land, water and forest. Now instead of compensating them they are told to be prepared to be taken away from whatever little subsistence forestry or farming they were doing on the hills.

It is the state which would decide the future of the people conniving with the wishes and will of the forest departments. The near conflict and inability of the tribal population to move out of the current place of habitation and legal consolidation of the state government, has left them destitute in their own lands. The tribals may be able to reduce the forest cover by further 0.5 % of the total area after the implementation of the FRA in the state. The state through its action based approach

for conservation and regeneration of the forest in the degraded wastelands can recover the loss. In addition the people obtaining have the basic right to livelihood would be participating in the efforts of state in preserving the trees under their lands. The state can evolve conservation methods wherein the farming practices may be advised based on the local forest ecology. This fits as a case for proper regional plan for these forested settlements.

The key issues pertaining to the livelihood of the tribals can be listed as under;

- Environmental degradation due to deforestation has led to destruction of livelihood system and greater dependency on local moneylenders and middlemen.
- Almost entire cultivable land is under single crop and depends on rains. Productivity of food grains low and is well below the average for the State.
- People are able to harvest crops during good monsoon, which is sufficient only for 6-7 months. They have to earn through migrant labour for rest of the period.
- Most households own livestock but the productivity is extremely low due to less number and less worthy livestock in terms of economic gains, as well as limitation of fodder.
- The problem of unemployment is quite high due to lack of any industry in the district.

Need for Regional Planning in Eastern Tribal Belt

The eastern tribal district of the Gujarat state is economically underdeveloped and encompasses tribals residing in the hilly and forested terrains. The state on its own has started looking for the development options with in the forested regions. Recently, in a bid to help families residing in forest areas earn livelihood in recession, Gujarat government has decided to implement a package, which will allow usage of protected forest land falling under forest department of the state. It is the state which is now proactive requires to look at serious regional planning approach for the tribal areas with long term vision for the areas under the forest. The state governments departments should look at the scientific planning for the regions rather than off the hand sector specific fund allocation.

A recent resolution passed by the government allows Joint Forest Management Committee (JFMC) to use protected forest land for plantation of bamboo, mango, eucalyptus, custard apple, lemon and other fruits and herbs. The basic objective of the scheme is to provide an opportunity to earn livelihood by using protected forest land. The idea to allow usage of such land was under consideration of the state government for quite some time and recently it decided to implement this package. The scheme will be implemented through JFMC and the members of JFMCs will be eligible to

avail the benefits of the package. It may be mentioned here that there will be no allotment of land on individual basis.

"Under the package, plantations would be allowed in minimum of 5 hectares and maximum of 50 hectares. Small blocks would not be allowed for plantations", states government circular." (Business Standard, 2009) ¹³

Section -III

Planning for Eastern Tribal Belt

"I am alarmed when I see – not only in this country but in other great countries too – how anxious people are to shape others according to their own image or likeness, and to impose on them their particular way of living. We are welcome to our way of living, but why impose it on others? This applied equally to national and international fields. In fact, there would be more peace in world if people were to desist from imposing their way of living on other people and countries.

I am not at all sure which is better way of living, the tribal or our own. In some respects I am quite certain theirs is better. Therefore, it is grossly presumptuous on our part to approach them with an air of superiority, to tell them how to behave or what to do and what not to do. There is no point to make of them a second rate copy of ourselves."

Pandit Jawaharlal Nehru, *First Prime minister of India* (Raza et.al, 1990, p.74)¹⁴

The Constitution of India has made definite provisions for the welfare and uplift of the tribal people throughout the country. Articles 15 (4) 46, 244 (1) and 339 of the Indian Constitution speak of special provisions meant for the administration and control of Scheduled Areas and tribals therein, for their welfare and protection. The policy of the State government towards the scheduled tribes is governed by the board directives laid down in the Indian Constitution.

Tribal Development efforts of central plans

The planning commission, the apex planning body of the nation has played significant role in the development of the nation. The planning commission has been formulating five year plans since year 1951 and now the country is in tenth plan period, preparing for the Eleventh Five year plan. The special programmes for tribal development have been implemented in the country to benefit the tribal population since First Five Year Plan.¹⁵

First Five Year Plan

First Five Year Plan did not pay any specific and special attention towards the development of tribal areas, because only a few piecemeal schemes such as educational schemes, welfare schemes etc. were introduced. These schemes of course left the concrete impact on the tribal community of the country.

Second Five Year Plan

During the Second Five Years Plan, recognizing the socio-economic conditions, prevailing in the tribal areas, concrete developmental schemes were planned. A novel administration system was introduced, with creation of "Multi-Purpose Tribal Projects in certain selected tribal areas".

Third Five Year Plan

On the recommendation of the Verrier Elevin Committee, Tribal Development Block System had been implemented under Third Five Year Plan. This system was evolved not only to improve the conditions in the tribal areas, but also to involve the tribal "people in the process of development with the aid of Panchayat Institutions. These schemes and sector plans, which were adopted as the institutions of planned development, resulting in tanning up of tribal economy and improvement of social-service to a certain extent, but it was found that certain regions and groups in tribal areas still remained very backward while others recorded a slow rate of progress.

Fourth Five Year Plan

On the eve of the commencement of Fourth Five Year Plan, 489 Tribal Development Blocks had come in to existence in country. The purpose of these blocks was for the economic betterment of the scheduled tribes and intensive development areas with large concentration of tribal population. In this connection the fourth plan envisaged extension of these blocks from 10 to 15 Years and introduction of stage III with an allotment of Rs.10 lakhs per Block for a five year period.

About Rs.75 crores were spent by the Union Govt. for the implementation of Tribal Development Programmes during the fourth Five Year Plan period. A number of new programmes were also introduced, besides intensifying programmes, which were already popular. Land colonization schemes were started and several tribal colonies were established. Cooperative Farming Societies were introduced and a number of concessions were extended to the tribal people by Forest departments. In addition, the Revenue Department and other departments in their respective field though District Level Plans were envisaged during this plan, but they could not take concrete shape, as actual planning was not done at the grass root level. Sectoral planning with schematic budget was also introduced during this planned period.

Fifth Five Year Plan

In view of the weaknesses of the earlier area based programmes viz. Tribal Development Blocks and Tribal Development Agencies a new strategy was evolved in the Fifth Five Year Plan for the foundation of Tribal Sub-Plan (TSP) for the areas of tribal concentration. This is intended to achieve an intensity of attention to the tribal areas and devise measures to suite their local ethos. About 2/3 of tribal population in the country is estimated to be covered by the TSP as were in operation in the Fifth Plan.

The problem of tribal was broadly classified into two categories (1) Areas of Tribal concentration and (2) Dispersed Tribes. In respect of the farmer, it was decided to accept an area development approach with focus on tribals, for dispersed tribals, family oriented programmes were taken up. The TSP includes all scheduled areas and tehsils /blocks, with more than 50% Tribal population. Substantial tribal population was covered under sub-plan according to these formulations- Bihar 72%, Orissa 68%, Himachal Pradesh 9%, Gujarat 59%, Madhya Pradesh 75%, Manipur 94%, Goa, Diu, Daman 100%, Nagaland and Nagar Haveli 99% and Rajasthan 44%. In other States, where the tribal population was more dispersed these norms were relaxed with a view to covering a reasonable proportion of tribal population.

Tribal sub-plan areas under the relaxed norms were delineated in A.P, Orissa, Karnataka, Kerala, Maharastra, Tamil Nadu, West Bengal and Uttar Pradesh. For operational purposes, the TSP areas were organized in 178 Tribal Development Projects during Fifth Plan.

It is the level at which the entire development efforts have been integrated. The financial investment flows from four important sources in TSP from the sources viz. (1) outlays from the State Governments plan, (2) Sectoral outlays from Central Ministries / Departments, (3) Institutional Finance and (4) Special Central Assistance. Over one thousand crores of rupees had been spent in the Tribal sub-plan areas during Fifth Plan period. In 16 States and 2 Union Territories, TSP was implemented but over 65 percent total tribal population in the country was not covered during this plan.

Sixth Plan

In the Sixth Five Year Plan, it was noticed that certain pockets of tribal concentration outside the tribal sub-plan area were still left out of the TSP strategy .It was therefore decided during the Sixth Plan that pockets of centre groups villages / pockets having a minimum of 10,000 tribal population of which at least 50 percent are scheduled tribes, should be carved for intensive integrated development and Modified Area Development Approach, (MADA) under the Tribal Sub-Plan.

A definite target of 50% of the scheduled tribal families to cross the poverty line was adopted during the Sixth Plan for the first time. Against the target of 4.70 million scheduled tribal families to be brought above the poverty line, it was estimated by the end of 1984-85, 3.45 million scheduled tribal families have been assisted. About 13.95 lakhs have been taken up for the development through projected approach.

During the plan period, it is estimated by planning commission that, 2 lakh hectares land of tribal households were covered under soil conservation scheme, 9,000 tribal villages were electrified and more than 80,000 villages were provided with drinking water supply. 245 MADA pockets of tribal concentration were identified during this period. By the end of the fourth years of Sixth plan, 181 of IFDPS, 245 MADA pockets and 72 primitive tribal projects were in operation in the country. The coverage of tribal population during this plan reached 75 percent as against 65% during Fourth Plan.

Seventh to Tenth Plan

The planning commission continued to provide increased funding to MADA pockets. The state governments were involve in the identifying the projects which can be included in the TSP. The coverage of the programmes as per the Government of India is now cent percent.

Tribal Development in Gujarat

While all the above plans have tried to infuse Sectoral funding in their subsequent plans, the Gujarat government utilized this fund in various schemes for the welfare for the tribal areas. The programs were success or failure could not be established in the present paper, but tribals in the state are far less developed in terms of socio-economic indicators.

With a view to implement the strategy of Tribal Area Sub Plan, the approach of Integrated Tribal Development Projects (ITDPs) was evolved during the Fifth Plan, wherein thickly tribal populated talukas were covered. In Gujarat there are 12 Integrated Tribal Development project areas Viz. Palanpur (Banaskantha), Khedbhrahma (Sabarkantha), Dahod (Dahod), Godhara (Godhara), Chhotauepur (Vadodara), Rajpipla (Narmada), Bharuch (Bharuch), Mandvi (Surat), Songadh (Surat), Vansda (Navsari), Valsad (Valsad), Ahwa (Dang).

As per the Gujarat Human Development Report of 2004 (Hirway and Mahadevia 2005), it is not only in economic development, but also in human development that there are disparities among the different districts of Gujarat. Ahmedabad tops the HDM-1 related to income, education, health, housing and participation, followed by the capital, Gandhinagar. These are followed by Rajkot, Navsari and Surat. The least developed districts are Dahod, Dangs, Banaskantha, Panchmahals, Surendranagar and Patan; and poor housing and health was reported from Dahod, Banaskantha, Dangs and Panchmahals.

This also shows that the leading districts in human development are industrialized and urbanized, whereas the backward districts reported a high concentration of tribals, and are deforested. On the income front, Kachchh reported high per capita bank deposits, even though it does not have a high domestic production.

For the development effort in the forest areas of Gujarat, tribal development researcher Dr. R.B. Lal, points out

“In areas like Dangs, Dharampur, Baroda, Songadh, Sagbara, Dediapada, Chhotaudaipur, Ratanwal (Panchmahal district), planning of tribal development programme or forest development in isolation has no meaning, the two must reinforce each another. In these areas a forest based economy should be planned in which agriculture and allied activities could be assigned secondary position.’ ‘...the potential of agricultural development in these areas has obvious limitations because of poor soil, undulating land and above all almost complete absence of irrigation facilities. Due to there being forest in such regions, tribal development and forest development should be two co-equal goals. The basic needs of the tribal economy should be provided on a priority basis as a part one in all forestry plans, whether conventional, intensive or commercial.’¹⁶

(Lal, R.B.1996, p.144)

Development issues for tribals in the country are cause of concern to government. *Eleventh Plan* (2007-12) document¹⁷ by Planning Commission, GOI states that, ‘Despite some protective measures and developmental efforts, the emerging tribal scenario characteristically continues to manifest:

- increasing tribal alienation on account of slipping economic resources like land, forest, common property resources;
- displacement and dispossession of life-support systems;
- general apathy of official machinery;
- escalating atrocities, at times related to assertion of rights;
- growing clout of market forces; and,
- Meager advancement through planned development efforts.’

REGIONAL PLANNING APPROACH

The regional development for tribal regions identified for the planning should provide an adequate integration of environmental concerns (including biodiversity and biodiversity based livelihoods) across all sectors. The regional planning should involve the people in the planning process by conducting the Participatory Rural Appraisal of the community within their ecological framework. The planning from the grassroots involving the local governments and people in assessment and setting the goals for their development should be taken forward in regional development planning process. The regions should be able to have comprehensive land use /utilization policy mandatory to be adopted by the all the stakeholders including the forest departments, local administration and people.

To delineate of Tribal Regions or TSP of pilot areas

The regional planning approach requires identifying the regions for the study either existing TSP areas or delineating based on the homogeneity of natural resources, community and physiographic characteristics of the regions.

The present approach of restricts the development within the administrative framework where the natural resource managements like management of forest, river basins and mineral resources are not concurrently executed. The communities are spread from one administrative limit to another which has similar socio-cultural-economic and socio-ecological setting. The delineation should be possible similar to Urban Development Areas (UDA) wherein multiple administrative units can be incorporated and planned for the betterment of the people. A similar regional approach to tribal dominated areas, taluka/blocks can be adopted for making regional development incorporating the planning goals setup in the 74th Constitutional Amendment.

Study of Socio-Ecological and Socio-Economic characteristics of regions

To understand the delicate balance between the natural resources and pressure of the human population it is advisable to adopt socio-ecological analysis for a milieu. The socio-ecological study should incorporate assessment of the ecology incorporating the physical characteristics, natural features – including flora and fauna, dependencies of features with focus on human intervention. Study of traditional benefits and threats to the natural environs, socio-psychological needs of the communities and integration with the ecology.

The socio-economic assessment of the communities in the regions needs to be studied in order to understand the historical and socio-economical relations of communities with the region, changing socio-economic scenarios *vis-à-vis* nature of ecological degradation for up gradation.

Analyse the available infrastructure in the pilot region

Most of the tribal habitations are located in isolated villages and hamlets in undulating plateau lands coinciding with forest areas; they have limited access to critical infrastructure facilities such as roads, communication, health, education,

electricity, drinking water, etcetera. The identified pilot area would be assessed based on the existing infrastructure availability, accessibility and quality of services offered to people. This can be based on the standard parameters set by the Planning Commission, Government of India.

Ranking and Infrastructure Requirement Report for region

The task would involve the overall assessment criteria for infrastructure status and the future allocation of facilities with respect to standards in respected blocks.

Population projection of tribal blocks with present infrastructure facilities covering and future allocation of infrastructure needs relative to specific norms and standards. The study would prepare the distribution of different blocks with their existing infrastructure facilities in Class- A, B, C and D.

Analysis of different sectors like water supply, roads, drainage, railways, electricity, irrigation, business, etcetera,. with existing situations and forecasting future requirement of infrastructure facilities. For that we have to conduct detailed analysis like

Mapping of block wise infrastructure facilities and development indicators on paper and preparing alternative suggestions or measures from data collected at district level, village level, cluster level maps and overlaying it with existing infrastructure data available.

Demarcating the facilities on the digital maps like roads, water supply sources, drainage facilities- rivers/drains, check dams, etc. also mapping the development projects which is existing in the region.

Land use Planning for the different blocks for identifying cluster development in particular direction. The study would also prepare report comprising of analysis and overall strategy for the land utilization in the region.

Preparation of Draft Regional Development Plan

The scope of regional development planning for the pilot region would be limited to preparation of perspective plans for the tribal region selected for the study.

Regional Plan would be a policy document and therefore the effort should be to identify policies and programme for socio-ecological and socio-economic development and their implications in setting the trend of spatial development of different settlements/communities.

- a) Existing characteristics and potentials of region which when synthesized would form basis for identification of policy issues.
- b) Projected requirements and assessment of deficiencies.
- c) Development aim and objectives and
- d) Policies, strategies, general programme and priorities

BENEFITS FOR THE TRIBAL REGION

The regions can be identified solely for the development purpose and which may not necessarily require altering the present administrative system. The consolidation of the funds available for the development of tribal regions can be made at the single source. The present development schemes can be remodeled as per the physical and social planning interventions suggested in the regional plan. The present plan for the tribal regions may also suggest ways in which tribal communities can sustain with present agricultural practices and utilization of natural resources.

The communities would be actively involved in the plan preparation, monitoring or at the assessment stage. This may reduce the deficiencies of the present planning process. The natural resources can be developed and managed integrating the resource utilization, revenue sharing and implementation of the development programmes. The region with serious ecological challenge can involve community on employment basis or revenue sharing basis for improving existing scenario.

The communities when given the opportunity may come forward in participating in the present development process actively. The communities' requirement, such as natural resource based livelihoods, economic integration and access to markets would be better.

As the country faces serious challenges in maintaining its status quo on the resource utilization, a better natural resource management by using the latest remote sensing and GIS technology can be met. The regional development plan would be based on the scientific assessment of the resources, accounting and proper eco-management plan. Thus the plan should be able to safe guard the natural resource which can sustain for the generations to come.

The present climate change debates identify the critical areas which are ecologically sensitive and needs to be saved from the excessive utilization by the humans. The regional development plan can incorporate the environmental safeguards for the region necessary for maintaining the livelihood requirements of the not only present communities but also for the future.

Conclusion

The present case of Gujarat government implementation of the forest rights act formulated by the central government needs right intention and constant monitoring by the tribal rights group to ensure the livelihood to millions. The paper presented a first hand account of the legislative implementation and drastic shift in the attitudes of governments towards accepting the rights of people. The changing environmental scenario and resource utilization makes the task of the government difficult as well challenging to find a new path for the future. Regional planning for such regions of the world would be demanded and new outlook is required to be investigated in such scenario.

ANNEXURES

Annexure –I : Distribution of Tribal Talukas in Gujarat State						
Sr.	District		Taluka	Population	Tribal	% Tribal
1	Sabarkantha	1	Khedbrahma	223,502	153,704	68.77
		2	Vijaynagar	90,766	68,545	75.52
		3	Bhiloda	206,168	114,007	55.30
		4	Meghraj	141,853	51,612	36.38
2	Dahod	5	Dahod	368,484	273,469	74.21
		6	Garbada	142,448	134,378	94.33
		7	Jhalod	360,553	319,443	88.60
		8	Fathepura	185,419	170,982	92.21
		9	Limkheda	239,357	146,764	61.32
		10	Devgadhbariya	209,198	48,185	23.03
		11	Dhanpur	131,974	98,288	74.48
3	Panchmahal	12	Santrampur	219,041	157,852	72.07
		13	Kadana	110,389	80,810	73.20
		14	Ghoghamba	179,656	72,123	40.15
4	Vadodara	15	Chhota Udaipur	202,697	175,480	86.57
		16	Nasvadi	124,828	107,547	86.16
		17	Kvant	170,524	157,738	92.50
		18	Jetpurpavi (Janbugam)	225,894	175,183	77.55
5	Narmada	19	Dediapada	143,574	137,553	95.81
		20	Sagbara	83,633	74,980	89.65
		21	Nandod	231,138	159,443	68.98
		22	Tilakvada	56,059	29,678	52.94
6	Bharuch	23	Valiya	130,587	96,179	73.65
		24	Jhagadiya	172,553	115,458	66.91
7	Surat	25	Songadh	204,270	170,464	83.45
		26	Uchhal	73,042	71,084	97.32
		27	Vyara	249,810	211,611	84.71
		28	Valod	87,127	64,112	73.58
		29	Nijhar	105,358	83,843	79.58
8	Surat	30	Mandvi	185,911	140,800	75.74
		31	Mahuva	142,434	112,655	79.09
		32	Bardoli	210,789	99,213	47.07
		33	Mangrol	171,524	90,370	52.69
		34	Umarpada	68,288	65,867	96.45
9	Navsari	35	Vansada	201,288	181,785	90.31
		36	Chikhli	293,014	205,275	70.06
10	Valsad	37	Dharampur	180,386	165,662	91.84
		38	Umargam	236,247	115,392	48.84
		39	Pardi	405,902	158,786	39.12
		40	Kaprada	202,862	189,939	93.63
11	Dang	41	Dang	186,729	175,079	93.76
12	Banaskantha*	42	Amirgadhd	101,133	53,808	53.21
		43	Danta	173,366	91,468	52.76
		Subtotal		7,829,775	5,566,614	71.10
Grand Total		(Inclusice of Pockets and Clusters		8,996,744	6,138,245	
*Outside Eastern Tribal Districts						
<i>Tribal Talukas Declared Backward by the Cowlagi Committee Report 2005</i>						

Annexure-II Area under forest: Gujarat State			
Year/District	Geographical area (Sq.km)	Area according to village papers	Area under forests
1960-61	187115	182986	11428
1970-71	195984	188128	15731
1980-81	196024	188220	19655
1990-91	196024	188219	18307
1995-96	196024	188118	18628
1996-97	196024	188129	18612
1997-98	196024	188118	18590
1998-99	196024	188118	18647
1999-00	196024	188118	18648
2000-01	196024	188118	18653
2001-02	196024	188118	18655
2002-03	196024	188118	18535
Source: Directorate of Agriculture, Gujarat State, 2004			

Annexure – III Gujarat : Forest Cover by Districts (2003)						Area in Sq.Km	
District	Total Area	Very Dense	Moderate Density	Open Forest	Total Forest	Percent Forest	Change
Ahamdabad	8,707	0	28	149	177	2.03	8
Amreli	6,760	0	65	153	218	3.22	15
Anand	3,214	0	26	34	60	1.87	-116
Banaskantha	9,858	0	429	432	861	8.73	-61
Bharuch	6,458	0	91	249	340	5.26	58
Bhavnagar	11,155	0	82	238	320	2.87	125
Dahod	4,405	0	182	524	706	16.03	89
Gandhinagar	649	0	9	35	44	6.78	-97
Jamnagar	14,125	0	59	310	369	2.61	16
Junagadh	8,281	9	926	673	1,608	19.42	22
Kachchh	45,652	0	408	1,875	2,283	5	249
Kheda	3,980	0	28	74	102	2.56	-56
Mehsana	8,540	0	24	213	237	2.78	99
Narmada	2,580	0	507	498	1,005	38.95	21
Navsari	2,215	0	191	123	314	14.18	-28
Panchmahals	4,461	0	183	393	576	12.91	-24
Patan	3,332	0	10	89	99	2.97	-32
Porbander	2,326	0	22	92	114	4.9	8
Rajkot	11,203	0	9	139	148	1.32	16
Sabarkantha	7,390	0	323	476	799	10.81	-131
Surat	7,657	27	856	471	1,354	17.68	-299
Surendernagar	10,489	0	13	159	172	1.64	56
The Dangs	1,762	78	1,013	326	1,417	80.42	20
Vadodara	7,794	0	163	465	628	8.06	-179
Valsad	3,029	0	584	411	995	32.85	15
Total	196,022	114	6,231	8,601	14,946	7.62	-206
Source: Forest Survey of India, 2003 (website:www.fsi.nic.in/sfr2003)							

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