

# Women, Forestspaces and the Law: Transgressing the Boundaries

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The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 was aimed at redefining gender and environmental justice and acknowledging adivasi women's capacities to nurture forestspace. However, as an analysis of the act's implementation in Andhra Pradesh shows, it has turned into a bureaucratic exercise instead of an empowerment tool. The ingrained patriarchal view of the State and its reluctance to grant the claimants – men and women – community rights to the land they were tilling all these years reveal that the profit motive and integration into larger global capital markets drive its forest development programmes. In the process, the women are becoming wage labourers carrying out the government's programmes of plantation rather than exercising their traditional knowledge to nurture forests and gain rightful livelihoods.

The struggle of women from the adivasi and other traditional forest dwelling communities has been about democratic rights to enable them to live in dignity, and freedom to pursue a way of life and livelihood that is centred on a complex relationship fostered over generations with the entire forest landscape. The ancestral plural relationship that women hold with the forestspace, is depicted by how this space is used in multiple ways: shifting cultivation, grazing, food production, foraging for wild fruits, vegetables, tubers and medicines, saving seeds and breeds, collecting fuel wood, forest produce and materials to build homes, worshipping their ancestors and gods and a space to celebrate and mourn. It is these "productive" and other "non-economic" interactions and relationship with the forest, that have been constantly contested, challenged and have come into direct conflict with the interests of the State since before independence, and have intensified in independent India.

The adivasi women's active role in movements to resist the State's attempts to restrict and regulate freedom, and contain temporal and spatial mobility within their territories and homelands, is a concrete expression of opposition to subjugation and control. Furthermore, these resistance movements are an integral part of the larger struggle against patriarchal institutions, and unjust forms of governance, and for gender justice. In this era of neoliberal reforms and globalisation, women's resistance has taken an additional dimension in struggling against the appropriation of their territories and the forest by global and national capital markets. The deeper concern is that capital and governance is rapidly transforming their autonomous spaces and relationship with the forest, into "commodities" with a market value that can be traded, allegedly to "raise their incomes, eradicate poverty and empower women", whilst increasing the revenues of the government.

From shifting cultivators, to pastoralists whose livelihoods banked on their access to forests to graze their animals, to internally displaced adivasi women forced to leave their homes and live as refugees in new forest regions, women have been victims of the brutal violence of the forest bureaucracy. They, thus, joined the thousands who protested on the streets to demand an end to their having to live in forests as "criminals" and "law-breakers". For women it is not merely a struggle for legal rights to resources, but for confirmation of rights to livelihood strategies that engage with the land and resources, in a manner that has for long been viewed by the State as being ecologically destructive and inefficient. In the last decade coinciding with the neoliberal period of reforms, it has been the female shifting cultivators and graziers who have borne the brunt of this violence by the State to restrict

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and deny them access to the forests. Violence against women has taken several forms such as taking control of their resources, and displacing them from their means of production – the land, forests, water, genetic resources, negation of their knowledge or its commodification, their spaces and power in decision-making.

### Recognising the Adivasi Struggle?

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, (FRA)<sup>1</sup> was eagerly welcomed as a victory and a significant step forward in the larger struggle of adivasi communities, seeking sovereignty over resources. For adivasi women in particular, it was supposed to give new meaning to gender and environmental justice: the right to a way of life and livelihood, and acknowledgement of their knowledge and capacities to nurture the forestscape and ecosystem. The legislation, however, may become a tool for the State to execute its hegemony over these forest resources and regulate freedoms to its citizens, by retaining the powers of final decision regarding governance of the forest resource. The State's attempts to negate the powers of the gram sabha, suppress the securing of community rights to forest resources, and the financial allocations through different schemes like the National Rural Employment Guarantee Scheme (NREGS) to promote plantations and afforestation programmes on the lands secured through the FRA, demonstrate another form of subjugation and alienation, which undermines the democratic rights and dignity of adivasi women. As argued by (Krishna 2007: 33). The question is not just of including women in policy and programmes but of unravelling the gendered structure of patriarchal institutions that are notoriously resistant to change. If the content of citizenship were to be extended to include the right to recognition of ways of living and livelihood, women could take their legitimate place as productive human beings who are entitled to dignity as a political right, and not as a part of protection and welfare.

### FRA in Action

When the FRA was passed in December 2006 there were cautious celebrations as it appeared to recognise the legitimacy of the adivasi women's autonomous relationship with the forests.<sup>2,3</sup> The act recognises individual rights to land being cultivated in forest areas prior to 13 December 2005.<sup>4</sup> It also recognises community rights and other traditional customary rights<sup>5</sup> of the community to the forest such as *nistar* rights, rights to ownership, collection, use and disposal of minor forest produce, rights to traditional water bodies and their produce, grazing rights (both settled or transhuman) and traditional seasonal resource access of nomadic or pastoralist communities, rights to biodiversity, cultural diversity, rights of habitation, and any other customary rights not mentioned. More importantly, it accords legal rights and confers powers to the communities to protect and manage their community forest resources in accordance with their traditional modes of conservation and also protect the forests, wildlife and biodiversity.<sup>6</sup>

The actual process of claiming rights took another year, when the rules were finally notified on 1 January 2008,<sup>7</sup> again largely in response to pressure by peoples' movements across the country.<sup>8</sup> People's organisations had barely begun to celebrate

this partial success of their struggle, when nine different public interest litigations were filed by retired forest officials and conservationists challenging the act in the Supreme Court and in the high courts of six different states. The petitions argued that the act paved the way for complete destruction of the forests by local communities.<sup>9</sup> Along with legal hurdles, the enactment of the law appeared to provoke increased attacks by forest department officials against adivasi and dalit communities. These attacks, in particular, targeted women who had been living in forest areas, with reports of renewed and aggressive attempts to evict communities from their homelands, across the country.<sup>10,11</sup>

Not surprisingly<sup>12</sup> states like Andhra Pradesh were quick to announce an operational plan and time-line for executing the FRA, 2006. Tribal welfare officials unfolded a completely unrealistic road map for operationalising the FRA, thereby diluting and collapsing a 200-year old conflict over land-use and resources, into a bureaucratic-technical exercise.

The AP government estimated that 2,500 gram panchayats and 7,500 habitations across the state could make use of the legislation to regularise roughly 2.93 lakh hectares of land. They allocated Rs 20 crore exclusively for implementation of the FRA, and deputed additional human resources from the World Bank-funded Indira Kranthi Pathakam poverty alleviation programme<sup>13</sup> to assist the officials in their task. By March 2008, the district officials in districts with forest-interface were running from village to village, to organise gram sabhas, and elect Forest Rights Committees (FRCS).<sup>14</sup> According to the FRA rule number 3 (1):

The Gram Sabhas shall be convened by the Gram Panchayat and in its first meeting it shall elect from amongst its members, a committee of not less than ten but not exceeding fifteen persons as members of the Forest Rights Committee, wherein at least one-third members shall be the Scheduled Tribes. Provided that not less than one-third of such members shall be women: Provided further that where there are no Scheduled Tribes, at least one-third of such members shall be women.

In its execution, the officials faithfully followed this rule, which was inherently flawed, as the total participation of men and women from all the habitation/hamlets that constitute a gram panchayat which could vary from 6-30 habitations, did not even meet the quorum, for a legitimate gram sabha. These gram sabhas were organised at the panchayat headquarters, which necessitated that women walk for miles to participate in the deliberations. This physical distance effectively ensured poor participation of women in the actual proceedings. This exercise undermined the local democratic processes of governance. The government machinery declared that within the space of one month, gram sabhas had been successfully organised and FRC democratically elected on a free and fair basis in all villages. It is difficult to imagine how these bodies which had not been allowed to function during the past decade, to whom no powers had yet been divested, and who had been sidelined by the state-initiated parallel institutions of governance such as joint forest management committees or van samraksha samitis (vss),<sup>15</sup> self-help groups (SHGs), water users associations, watershed committees, educational committees, and village tribal development authorities, had miraculously in the space of a month transformed into

vibrant democratically functioning bodies, which ensured the free and fair participation of women!

**Negating the Community: Marginalising Women**

In the campaign on FRA, the government machinery very deliberately chose to publicise individual rights to land, but was completely silent about the more powerful and crucial component of collective/community rights to the forests. The government was also silent on the powers given in the act to the gram sabha for governing, managing and protecting the forests. Instead of being an empowering tool that strengthened the collective democratic rights of forest dependent communities the act was reduced to becoming yet another “government programme” of land distribution.

In Andhra Pradesh, as of 30 June 2009, according to the official statistics,<sup>16</sup> 3,29,233 claims were received by the gram sabhas of which 3,23,272 or 98% were individual claims, and 5,961 were community claims. Of these, 2,14,430 claims or 65% were approved and sent onto the sub-divisional level committee (SDLC), of which 1,40,359 (or 65%) were recommended by the SDLC to the district level committee (DLC). The DLC approved 1,33,619 claims, or a mere 41% of the total claims submitted to the gram sabha, of which 67,855 titles were distributed. The status of community claims is conspicuously absent from the official data on the official web site.

Taken at face-value, the sheer volume of claims approved, appears to have provided substantive benefits to the adivasi communities, particularly women, as almost all individual titles have been made in the name of the woman. The large numbers however are deceptive, and analysis of disaggregated data from individual districts, tells another story.

Data from Parvathipuram division, Vizianagaram district (Table 1) shows that while gram sabhas rejected 26% of the entire individual claims filed, quite inexplicably they rejected 90% (702 of 775) of all community claims, and sent the remaining to the SDLC. The SDLC rejected nearly 50% of all individual claims and accepted only five of the 73 (6.8%) community claims submitted and passed them onto the DLC for final approval. The DLC finally approved a mere 35% of the original individual claims. This translated into 30% of the total land originally claimed being finally approved to be given to claimants as individual titles. As far as community rights go, a minuscule 0.2% of original community claims were finally approved!

**Table 1: Status Report of FRA Claims Submitted, Surveyed, and Approved, Parvathipuram Division, Vizianagaram District, Andhra Pradesh**

Parvathipuram Division	Claims Submitted	Claims Surveyed	Claims Accepted by Gram Sabha to SDLC	Claims Recommended by SDLC to DLC for Approval	Claims Approved by DLC for Grant of Titles for Forest Rights
Individual claims (no)	16,061	16,061	11,825 (73.6%)	6,456 (40%)	5,616 (35% of original claims)
Individual claims (acres)	44,210.41	44,210.41	35,498.40 (80.2%)	15,831.97 (35.8%)	13,416.02 (30.3% of original land claimed)
Community claims	775	775	73 (9.4%)	5 (6.8%)	2 (0.2% of original claims)
Community claims (acres)	3,755.78	3,755.78	189.38 (5%)	787.71	783.0

Source: Abstract of Status Report on Implementation of FRA Act, as of 31 March 2009, Format I-V, ITDA, Vizianagaram district, Andhra Pradesh, obtained through RTI filed by Manyam Girijana Seva Sangham, Vizianagaram.

The rejection by the gram sabhas of over 90% of the claims from constituent hamlets/villages to exercise their collective rights to the forests, appears to be completely illogical. It raises serious questions as to whether it was the gram sabhas at the panchayat level who passed these resolutions, or whether these were arbitrary decisions taken by various other actors<sup>17</sup> who were involved in processing the claim forms. The story is no different in Srikakulam and Adilabad districts (Table 2).

The State’s agenda of suppressing the process of communities claiming their collective/community rights to the forests, as also the manner in which it exercises the power to impede the process

**Table 2: Status of FRA Individual and Community Claims in Vizianagaram, Srikakulam and Adilabad Districts as of 31 March 2009**

District	Vizianagaram	Srikakulam	Adilabad
No of Mandals	23	17	50
Gram panchayats with interface with forests gram sabha convened FRC’s formed	233	not available	499
Extent of forest land having interface with panchayats (acres) as per forest department	61,336.24	not available	2,09,357.88
Individual claims (No) submitted	16,380	15,565	55,663
Approved by DLC	5,616	12,565	28,409†
Extent of acres (submitted claims)	44,640.69	25,322.63	2,21,624.84
Individual claims approved by DLC (acres)	13,416.02	25,322.63	1,02,142.85
Community claims submitted (nos)	775	343	1,090
Community claims approved by DLC	2	131	60‡
Community claims submitted (acres)	3,755.78	739.1	Not available
Community claims approved by DLC (acres)	783	260.78	3,533.40

† Balance are under process of being surveyed according to official data. ‡ Balance are being processed. Information obtained through RTI filed by Manyam Girijana Seva Sangham, Vizianagaram, Chinnayya Adivasi Vikas Sangham, Srikakulam and Adivasi Chaitanya Sangham, Adilabad. Source: ITDA, Srikakulam, ITDA Adilabad, ITDA Vizianagaram, 31 March 2009.

of adivasi women to obtain rights, becomes progressively clear as we shift the analysis from district to village and hamlet levels. Take the instance of panchayat Akkarapally, Hiramandalam Mandal, Srikakulam district (Table 3, p 68), which is made up of five constituent villages. Barring Akkarapally village inhabited by the backward castes (BC) the other four villages are inhabited by Gadaba and Savara adivasis, who are listed as primitive tribal groups. The FRC consisted of four women and 11 men, all belonging to the adivasi community but all residents of the same constituent village.

Totally 179 adivasi villagers submitted individual claims from four villages, for a total land area of 978 acres, that they had been cultivating for hundreds of years and which averages 5.4 acres per claimant. Each village also submitted form “B” which is the application for community claims, detailing their traditional customary boundaries, their diverse and seasonal uses (medicinal plants, grazing, forest produce, food, fruits, fish, water bodies, hillocks, shifting cultivation patterns, places of worship, burial grounds, forest gods, etc). A part of the land which was claimed by the villagers had been appropriated by the forest department through the vss, under the implementation of Joint Forest Management Programmes,<sup>18</sup> which started in this panchayat in 1998/1999. The adivasis had been forcibly displaced from their lands, and were now reclaiming their rights to their ancestral territories.

In June this year, the government awarded individual titles prepared in the names of the women, to all 179 claimants, which totalled 106.25 acres. The final amount approved was approximately ½ acre per claimant, a fraction (10%) of their original claims which were well within

**Table 3: FRA Individual Claims Approved, Panchayat Akkarapally, Hiramandalam Mandal (Srikakulam)**

S No	Village/Hamlet	No of Individual Claims	Total Area Claimed (Acres)	Area Approved (Acres)	Average Area Approved/ Individual Claimant (Acre)	Average Area Claimed/ Individual Claimant (Acre)
1	Satyajaganathapuram	66	234	30.09	0.45	3.5
2	Anthakapally	27	92	16.04	0.59	3.4
3	Ippagudda	13	72	12.74	0.98	5.5
4	Seedi	73	580	47.38	0.64	7.9
5	Total	179	978	106.25	0.59	5.4

Source: RTI Information obtained from ITDA by Chinnayya Adivasi Vikas Sangham, March 2009.

the maximum amount of four hectares per claimant, as specified in the FRA.<sup>19</sup> None of the four villages were informed about the status of their community claims.

In village after village the story is the same. Adivasis who have been cultivating between 3 and 5 acres of land in the forests since hundreds of years, filed their claims, and were awarded approved land titles made out in the name of women, which measured a couple of cents<sup>20</sup> or an area which was 1/10th of the original land. Most villages have not yet received an answer to their community claims but going by the records, it appears as if they were uniformly “rejected”. Where the community rights have been awarded, they are accompanied by selective rights like “one fishing pond” or “one road”<sup>21</sup> measuring 1-2 acres! This negates the very essence of these community rights embodying the adivasi relationship with ancestral territories and customary use. The ministry of tribal welfare has clearly chosen to ally with the forest department which is reluctant to lose its “property – the forests”, particularly jointly protected and managed forests.

**Patriarchy of Governance**

The State’s essentially unchanged patriarchal ideology and political character stands starkly exposed with these actions. The State assumes that it is doing a great favour and can undo historical wrongs and further gender justice, by throwing crumbs in the direction of marginalised adivasi women. It takes these liberties because of a deeply ingrained patriarchal worldview and image of adivasi women as unquestioning and obedient, ignorant and pliable. The allotment of a couple of cents of land to women is utterly humiliating and mocks their dignity. However democracy is not about granting favours. These women were struggling for something very different. In four panchayats of Srikakulam district, women refused to accept these titles and demanded resurveys of both individual and community claims which was finally accepted by the officials.<sup>22</sup> The surveys are currently underway.

The state government made no efforts to make these communities aware of the importance of filing community rights. To a large extent people had no opportunity to internalise and understand the critical political relevance of staking their claims to these rights as collectives of households at the village/hamlet level. The emerging data from different districts indicates an appallingly low number of community claims being filed in relation to the total number of habitations/hamlets attached to every panchayat (Table 2). Of these a very small number was actually approved.

The State appears to have taken a conscious decision to subvert/suppress the process of ensuring that local communities exercise their right to the community forest resources. This has massive

ramifications as we have argued earlier on women for whom the private and public spaces in forest regions form a continuum through which they exercise their right to livelihoods and life. Adivasi women view agriculture and non-agriculture lands including forests and common property resources as a mutually supportive continuum within the local landscape. They complement and supplement each other in shaping local livelihoods (Rao 2008: 290).

This worldview, however, is in direct conflict with the State, whose plans for the forests works against the interests of women. Sarin (1996:19-20) has written extensively on how for instance the closures of forests for purposes of protection have severely affected women and resulted in significant increase in their work burden. Denial and rejection of community claims is a direct attack on women’s livelihood aspirations, their knowledge, and rights, which are closely embedded in the collective right to use common resources to meet their needs.

**Plantations and Shrinking Spaces**

What explains the State’s absolute reluctance in implementing community rights? The answers can perhaps be found in an analysis of recent forestry development plans and programmes announced by the State, which can be described very simply as being an agenda of monoculture plantations and afforestation, which need to be critically examined to unravel the implications on women.

On 10 July this year, the Supreme Court passed an order directing that a sum of Rs 11,200 crore accumulated and lying with an “ad hoc” Compensatory Afforestation Management and Planning Authority (CAMPA) be spent to raise tree cover in six million hectares of degraded forest land across India.<sup>23</sup> This money is collected as “compensation” from user agencies such as state government and private agencies who want to use forest land for non-forest uses under the Forest (Conservation) Act, 1980. The money consists of funds for compensatory afforestation (tree plantations) as also a monetary amount corresponding to the estimated value of the forest area lost. Five states (Orissa, Jharkhand, Chhattisgarh, Andhra Pradesh and Maharashtra) would receive 55% of the total, the amount due to Andhra Pradesh being Rs 1,027 crore. The interim arrangement is to disburse 10% of the accumulated principal amount every year for the next five years, which works out to Rs 90 crore for Andhra Pradesh.

Within days<sup>24</sup> of the permission, the AP government announced its intentions to grant Rs 360 crore to the vss for development of 23.73 lakh hectares of forest land, under the NREGS.<sup>25</sup> The state government argued that as forest land covers a mere 23% of the total geographic area which was below the required 33%, and thousands of hectares of forest was reduced due to the land being acquired for irrigation projects, the chief minister was requesting the forest department to take initiatives to “assist the tribals to develop their lands using the NREGS”. The government would provide Rs 6 lakh for development of each hectare of land in the next two to three years. The Integrated Tribal Development Agency (ITDA) would provide necessary plants and other support to the tribals including silver oak and rubber from the nursery apart from providing cattle under other schemes. The forest department of the government announced that the centre had already released Rs 90 crore from the CAMPA.

There are several concerns and problems regarding these developments. First and foremost is the issue of governance. The process of providing funds directly to the joint forest management committees for afforestation, created and controlled by the forest department, completely bypasses and undermines the pre-eminent and constitutionally determined governance role of local bodies like the gram panchayats/gram sabhas. In scheduled areas, in particular, the Panchayat (Extension to Scheduled Areas) – (PESA) – Act, 1996, and the FRA, are powerful legislations. They spell out the role of the gram sabha in governing the forestscape, in tune with the customary practices of local communities, fulfilling livelihoods, cultural aspirations, and exercising the right to traditional conservation and protection strategies. According to these laws the decisions to implement or reject mono-crop plantations and afforestation programmes that threaten to displace traditional livelihoods, biodiversity, associated indigenous knowledge and cultures and local ecosystems, should rest with the community and the gram sabha.

A second key concern is that with such afforestation programmes, adivasi communities are confronted with multiple displacements – from land, productive resources, biodiversity, knowledge. The process of enclosing these commons, and pushing adivasi and other forest dwellers out of the forests, has been going on for the past 200 years and continues unabated. Each time the adivasis lose their land and forests due to the State's power which takes control in the name of the "larger public good", they are forced to sacrifice land, and cultivate monoculture plantations, to compensate for the earlier loss. The State destroys and the adivasi has to pay for it over several generations. The communities depend on the forest – the land, the water bodies and the grazing areas to sustain their livelihoods. Acquiring these forestlands for afforestation purposes would deprive forest dwellers and adivasis of some or all of their lands and adversely affect their livelihoods and basic needs. They are neither informed, nor compensated for these acquisitions.

In all this the rights of people conferred under the new FRA are being violated. The plantation development paradigm, exacerbates and sharpens existing contradictions and conflicts between the adivasi community and the State resulting in further erosion of customary rights that these communities have engaged in to meet their basic subsistence needs. It is clear that the profit motive and integration into larger global capital markets continues to drive the State in its articulations of forest development. Each and every component of the forest has to be converted into a source of profit, and people too are being manipulated to transform their relationship with this resource and their livelihoods into a purely cash-based monetised transaction. This commercialisation will increasingly shape the forests, curtail the rights of forest dwellers, and on the pretext of forest conservation, increasingly cater to the needs of industry and the larger markets.

Adivasi women are already familiar with the hegemonic and exploitative role of the vss, evident in the past decade of neo-liberal forestry programmes (Ramdas and Ghotge 2007:47-52; Reddy et al 2007:312, 319). If the vss is authorised to execute plantations of rubber and silver oak, on "degraded forest lands", and women are to be paid NREGS wages only if they cooperate with plantations on their lands (whether on private titles or public

lands) which facilitates the supply of cheap labour, then once again we will witness massive infringement of their rights.

The government has announced identical investment plans and linkages to NREGS for the recently distributed individual land titles. In June and July this year, when distributing individual land titles to adivasi claimants, the government announced that "Coffee, rubber plantations and horticulture schemes are to be taken up in the lands".<sup>26</sup> Once again on 6 July,<sup>27</sup> the chief minister told an impressive gathering of tribals at the Government Junior College that rubber, coffee plantations and the cultivation of other crops could be taken up in lands with financial assistance of ITDA and other departments. Besides, borewells would be sanctioned liberally to help irrigate crops.

Another report of 6 July<sup>28</sup> says:

Now tribals can cultivate their lands with dignity without any fear. Tribals can plant rubber plants, mango, cashewnut, orange, lime or palm oil as per the local conditions. The State Government would also develop lands in tribal areas and the tribals will be paid daily wages under NREGS programme though they are working in their own land. Rs 20 crore would be spent towards development of land in tribal areas.

### Invisible Displacement

The adivasi women who are being "granted" these private titles, are left with the "free choice" of deciding between mangoes and cashewnuts. This completely destroys the spirit of the legislation which emphasised customary traditions and indigenous livelihoods. Plantations displace adivasi women from their central and autonomous role of growing food on this land. The forest department saw these as "encroached" lands because they were cultivated with food crops by adivasi families. Adivasi women have always played a central and pivotal role in producing food, and have utilised the entire forest space, the local resources and their knowledge to produce food under the harshest of circumstances. The eastern ghat forest regions have been earmarked in India as being "hot spots" in terms of diversity of food crops, and origins of specific wild land-races.<sup>29</sup>

These strategies, ominously identical to innumerable development interventions of the recent past have proven to be completely disastrous with respect to food sovereignty, gender justice and have completely failed as an approach to forest conservation. In the 1980s, the forest department and the integrated tribal development agencies in AP, initiated social forestry programmes to encourage farmers to raise horticulture plantations on their lands, and targeted lands which were under shifting cultivation regimes. People planted trees on their lands which were in the fallow phase of the shifting cultivation cycle, and then cleared fresh forests to meet their needs of cultivating food.

In the early 1990s, the process of trying to settle farmers through development programmes continued through a project funded by the International Fund for Agriculture Development (IFAD) to the tune of \$20 million<sup>30</sup> and implemented by the Integrated Tribal Development Authority (ITDA). The main objective of the Andhra Pradesh Tribal Development Project (APTDP) according to the project completion evaluation document was to foster "self-reliant household food security by increasing food production and raising the income of tribal families, with specific focus on households practising *podu* (shifting cultivation) agriculture".<sup>31</sup>

The project strategy included several elements such as planting the hill slopes with tree crops to provide food and cash income, as well as utilising soil conservation measures to restore the ecological equilibrium and improve the productivity of food crops through expanded irrigation and improved farming technology. The project had a clear mandate to target women, through the formation of self-help groups, and to take the lead in implementing development plans that would ostensibly provide an "alternate livelihood" to shifting cultivation. The APTDP Completion Evaluation Report acknowledges that while the project interventions resulted in enhanced food production, it simultaneously increased vulnerability to drought because the project created dependence on irrigated agriculture at the expense of traditional techniques that included built-in measures to counteract periodic drought conditions. So the evaluation report analyses that:

Extensive podu areas have been converted into orchards, with a positive impact on the environment and food production. However, the figures mask important problems, including the poor maintenance of irrigation systems, a lack of sufficient know-how regarding horticultural techniques and, perhaps most significantly, increased vulnerability to drought because of the dependence on irrigated agriculture at the expense of traditional techniques that included built-in measures to counteract periodic drought conditions. Price fluctuations and continuing exploitation by middlemen have meant that farmers have frequently been compelled to sell their products at uneconomic price. In several villages, the progressive diminution of podu farming can make the tribals more vulnerable to severe drought conditions, and in some cases they are uneasy at not having their traditional mix of rainfed grain and other low-intensity crops to fall back on. This problem has been exacerbated by extended periods of drought in the past few years. These difficult conditions underline the need to promote agricultural strategies that rely on irrigation and rainfed systems. Environmental impact of application of non-organic inputs for high yielding varieties (HYV) paddy cultivation in low-lying lands such as chemical fertilisers, pesticides and herbicides, is a serious concern.

Another serious admission is that the intervention resulted in the marginalisation of women from agriculture. As the report says, "One negative impact on gender equity has been the fact that men now concentrate more on work in the irrigated areas, whereas men and women were previously accustomed to a large degree to working together on podu land".

Studies of the impact of these development programmes on adivasi women highlighted how the entry of cash crops and the displacement of food crops has within the space of two decades, pushed women from a vantage point of being joint decision-makers to powerless subordinate positions. In the larger context where women's access to resources and decision-making within the private and public spaces is limited state and international agriculture policies have successfully disempowered and marginalised poor women even in those spaces where they enjoyed some power. It has displaced and disempowered women from a pivotal decision-making role to mere providers of labour, simultaneously marginalising women's knowledge and expertise (Ramdas et al 2004:89).

Critically, the APTDP completion report described how despite plantations, "the farmers admitted that they were continuing podu/shifting cultivation as a fall-back mechanism, or that they would revive it if necessary". Independent studies also found that while farmers planted horticulture crops, they cleared new forest areas to continue to practise podu.<sup>32</sup>

Despite hard evidence that indicts plantations of increasing the vulnerability of adivasi/forest dependent communities to drought, reduced autonomy over food production, disempowering women, and paving the way for new forest areas to be cleared, in the event of the need to cultivate food – the government appears to be firmly fixed on the idea of developing forestlands with monoculture plantations. This is completely antagonistic to the adivasi idea of the forestscape being a space that integrates physical, biological and spiritual existence (Madhusudhan 2008:98).

The writing is on the wall as far as this forest development plan is concerned and what it portends for women. In addition to being displaced by development projects such as mines and dams, it is these subtle forms of displacement that confront adivasi and other forest-dependent communities. As recent history has shown, the brunt of multiple displacements will be borne by women, who are reduced to becoming mere providers of wage labour in order to carry out the government's programmes of plantation, rather than exercising their rightful livelihoods.

The government's strategy of co-financing the plantation agenda by linking it to NREGS is dangerous in that it exploits the vulnerabilities of poor communities, particularly women. It also plays on the "trust" that marginal communities, especially adivasi women continue to place in the State which for them is represented by the integrated tribal welfare department. The recent experience of how NREGS was used to coerce dalit women in Nalgonda district, AP, into planting pongamia pinnata and jatropha biodiesel/agro-fuel crops on their individual assigned lands, aptly illustrates the manner in which the State is able to "manufacture consent" and force its agenda upon the most marginalised community of women, thereby displacing food crops, women's associated knowledge and their relationship with the land (Anthra 2008: 75-79).

### New Drivers of Forest Appropriation

In 2006, the World Bank released a report on opportunities for the forests in India, designed to assist senior Indian policymakers in evaluating programme and policy options that could, according to their assessment, "assist communities to use forests as a means of moving out of poverty" (World Bank 2006: ix). Reforms focused on four enabling factors which included securing tenure and management rights for forest dwellers, providing communities access to more efficient market systems for goods and services, developing effective institutional models and strengthening forest management monitoring and control. The report says "without more secure and efficient tenure over natural resources such as forests, communities lack incentives to invest..." (World Bank 2006: 48), and again "local ownership offers opportunities to capitalise on forest assets" (World Bank 2006:13). Along with the traditional markets which include timber, bamboo, non-timber forest produce, the cutting-edge "new markets" for investment are ecological/environmental services such as carbon financing, ecotourism, medicinal plants, certified scarce forest commodities. A new World Bank funded project in AP proposes to mobilise small and marginal farmers who will be encouraged to raise plantations of tree species with high rates of carbon sequestration in their farmlands, through which they shall earn income from carbon credits, in addition to receiving short-term financing from the BioCarbon Fund (World Bank 2006: 70).<sup>33</sup>

What was recommended is well underway. Clonal eucalyptus and teak plantations, that have been raised as part of the Andhra Pradesh Community Forest Management Project implemented by the Andhra Pradesh Forest Department (APFD), are currently being assessed for their carbon sequestration (Green House Gas) removal, and potential for sale of carbon credits.<sup>34</sup> The APFD is also being financed by the National Bank for Agriculture and Rural Development (NABARD) to raise pongamia pinnata plantations on degraded forest lands to produce biodiesel, with efforts on to obtain carbon credits through the Clean Development Mechanism of the Kyoto Protocol.<sup>35</sup>

The guidelines for the state CAMPAS issued by the Ministry of Environment and Forests (MOEF) affirms that financial investments in India's forests shall be directed towards compensatory afforestation and promoting "Environmental Services",<sup>36</sup> along with the conservation, protection, regeneration, and management of natural forests.

The last piece of the puzzle, to complete the larger narrative to the question of drivers of this agenda, fell into place when the Minister of State for Environment and Forests, Jairam Ramesh unambiguously linked India's aim of regenerating forests to climate change and said that the government will soon announce how much carbon emission is being captured by India's forests.<sup>37</sup> India's National Action Plan on Climate Change envisages eight missions, of which the MOEF is coordinating the National Mission for Green India, which aims at afforesting six million hectares of degraded forest lands by the end of the 12th Plan.<sup>38</sup>

India's position paper for the upcoming United Nations Framework Convention on Climate Change (UNFCCC) negotiations, scheduled for December, reiterates the importance of conservation and increase of forest cover as a vital strategy to stabilise climate change. Forests soak up vast amounts of planet-warming carbon dioxide, and are potentially a new mode for developing countries to earn billions of dollars, under one component of the proposed UN agreement, called Reduced Emissions from Deforestation and Degradation (REDD). Under this "deal", rehabilitating degraded forests, which can sink carbon emissions and generate valuable carbon offsets, can be sold to rich nations to help them meet their emissions goals. The CAMPA strategy, the plan budget allocations for forestry and the convergence of NREGS with forest regeneration, all form part of India's climate change initiatives.<sup>39</sup>

Being paid to grow trees to sink carbon may sound like a great opportunity for poor women to earn money, but it completely distorts and wipes out customary and autonomous ways in which communities relate to this "common resource – the forest". Their relationship with this space is not an expression of a set of property relations but an autonomous way to engage in a form of life. The global capital market paradigm has an inbuilt momentum that will favour and demand certain kinds of "forestry practices", such as monocultures of fast growing trees like eucalyptus, teak, rubber, mango, and greater enclosures of the forest, which works against adivasi livelihoods, and undermines their governance of these forests. The markets are also completely volatile and inconsistent and as seen in the past with newly introduced crops such as tobacco, cotton, and coffee, adivasi farmers are unable to withstand massive price fluctuations, and incur huge debts (Muralidharan and

Raghuram 2003:31), when the markets are "down" and fail. The carbon markets and other trade regimes promise to be no different.

For the adivasi women in Adilabad district, AP, where the first climate change related carbon trading projects<sup>40</sup> were implemented in several villages, this is precisely what has transpired. The trajectory of forest development has completely impeded their ability to live their lives and exercise their rights to customary livelihoods. In 2000, the Gond women of Powerguda village, had been persuaded to grow pongamia pinnata tree plantations on forest lands and individual land titles, under a watershed development project financed by IFAD and implemented by the ITDA through the women SHGs (D'Silva et al 2004:1-3). They were presented with a biodiesel extraction machine to extract oil from pongamia seeds, which was projected to reach its full potential by 2007, when all the freshly planted pongamia trees would begin to yield oilseeds (D'Silva 2005: 4). In October 2003, the women "sold" an equivalent of 147 tonnes of carbon dioxide in verified emission reduction as carbon replacement to the World Bank to neutralise emissions from air travel and local transport by international participants attending its conference in Washington DC in October 2003. The World Bank paid the women \$645 or Rs 30,000 towards calculating the amount of carbon which would be sequestered over a period of 10 years. The income from sale of carbon was used to raise more pongamia saplings, which were planted on field boundaries and bunds and community-owned land (D'Silva et al 2004:19; Wani et al 2006:26).

However, what did not get publicised was that in the process of planting pongamia trees to sustain the continued supply of biodiesel, the adivasi women were forced to transform their livelihoods. The degraded forests, which they would have regenerated with indigenous species, and agriculture lands that supported food crops such as jowar and other pulses, were replaced with mono-plantations of pongamia, as they were assured a regular income from the sale of seeds. For four years they were prevented from grazing their animals in the forests due to the plantations, which forced several families to sell their cattle, with consequent downstream effects on agriculture, such as increased dependency on chemicals to farm and cultivate their crops.<sup>41</sup> What also emerged was that the women were completely unaware of the reason they had received the money and had no idea about the entire ramifications of carbon trade and the relationship of their SHG activities to climate change (Caruso and Reddy 2005:13).

In June, the print media<sup>42</sup> reporting on the total failure of pongamia plantations and biodiesel enterprises in Adilabad district, described how the biodiesel extraction unit of Chalpadi (hailed as the village which brokered the first carbon deal in 2003), was closed as women could not make a livelihood collecting pongamia seeds to feed the plant! The money earned through the carbon deal was long exhausted. The situation in the much publicised Powerguda case is no different. To date not a single tree that was planted has yielded pongamia seeds, and more than 80% of the trees have perished. The biodiesel extraction machine is lying unused, and the women are angry that they were fed false promises, and have ended up ruining their lands in the process. "The government officials say they are not responsible and blame us for the failure! Who is accountable for all these experiments with our lives?"<sup>43</sup> they want to know.

Patriarchal stereotypes of women are also clearly informing the mechanism, by which the new markets can operate, and which they analyse is most effectively done through existing organisations of rural women, such as the women's SHGs. A feasibility study carried out in Adilabad district, AP states that women SHGs are the most appropriate institution to carry out carbon offset projects, since they are "dynamic, accountable and transparent" (Pfoffenberg et al 2002:19).

### Emerging Challenges for Adivasi Women

The powerful convergence of global climate change policies and neoliberal markets, appears to be an overriding force that is shaping current environment and forestry policy in India. The current discourses on mitigation and adaptation to climate change and the global need to conserve carbon are undermining the rights as well as democratic decentralised governance systems of adivasi communities, which hit women hardest. Emerging climate change policies and neoliberal practices are reshaping the relationship of adivasi and forests, thereby creating new forest forms. The new forms are culturally read as carbon, cash crops and ecosystem services with scientific knowledge and management as its guardians. Countries appear to be arriving at a global consensus on policies to mitigate and adapt to climate change, that presents a critical stage in the history of adivasis, and we would go as far to say, a defining period. The influence it will have on the adivasi way of life and being are far from clear but all initial evidence points towards the displacement of adivasi subjectivities and livelihoods, towards that of global carbon capture and conservation, with regressive repercussions on adivasi women. The recent Indigenous Peoples Declaration on Climate Change<sup>44</sup> reaffirmed that:

(We) Indigenous People challenge States to abandon false solutions to climate change that negatively impact Indigenous Peoples' rights, lands, air, oceans, forests, territories and waters. These include nuclear energy, large-scale dams, geo-engineering techniques, "clean coal", agro-fuels, plantations, and market based mechanisms such as carbon trading, the Clean Development Mechanism, and forest offsets. The human rights of Indigenous Peoples to protect our forests and forest livelihoods must be recognised, respected and ensured.

This idea has been expressed in several ways both pre- and post-independence in the history of adivasi struggle for recognition of their rights to resources, and to their way of life. Laws like PESA and FRA open democratic spaces for them to exercise their rights to resources, protect and govern the forests and are a step forward in their larger struggle against centuries of oppression and injustice. At the same time, when we analyse the ground reality and experiences, we find that these laws and the "new welfare models" such as NREGS, are used by the State to retain its authority, power and supremacy over resources, alienate people from their land and way of life, and create and sustain capital markets. The State has identified women as key to implementing its neoliberal agenda and in doing so, attempts to restrict and regulate their freedom, confine and contain adivasi women within new boundaries. However, these women continue to be defiant and resilient, and struggle to hold onto and regain lost space. As a Savara woman from Srikakulam passionately articulated:

I don't know whether I was (more) free before the act or after the act. Earlier I was a "thief" in the eyes of the law, but learnt to survive. Now I am "legal" and have legally lost my land as the government took all and gave me nothing. We have "legally" been granted "two acres" of community land, whereas all this is ours (pointing to the hills beyond). We reject these titles. We reject these plantations. We will continue to struggle.

### NOTES

- 1 Ministry of Tribal Affairs, <http://tribal.nic.in/index1.html>.
- 2 In the FRA 2006, the government of India, for the first time legally acknowledges the historical injustices suffered by adivasis and other traditional forest dwellers whose rights were inadequately recognised, during the colonial period as also in independent India in the process of the consolidation of state forests. It also acknowledges that these communities are integral to the very survival and sustainability of the forest ecosystems.
- 3 FRA 2006, Sec 4(4) individual land titles shall be registered jointly in the name of both the spouses in case of married persons and in the name of the single head in the case of a household headed by a single person.
- 4 FRA 2006, Section 4 (3).
- 5 FRA 2006, Section 3 (a to m).
- 6 FRA 2006, Section 3 (i) and Section 5.
- 7 Forest Right Act, Rules, dated 1 January 2008. Ministry of Tribal Affairs, <http://tribal.nic.in/index1.html>
- 8 <http://forestrightsact.com/index.php/Forest-Rights-Act-2006/Scheduled-Tribes-and-Other-Traditional-Forest/> statements and news. as viewed on 20 July 2009.
- 9 On 01/05/09 the AP High Court granted permission to the AP government to issue titles for more than one lakh claims approved by the District Level Committees in the State. <http://forestrightsact.com/index.php/Court-Cases/Court-Cases/Court-Cases-Against-the-Forest-Rights-Act.html>. as viewed on 20 July 2009.
- 10 Ibid 8. 125 Houses Burned As Evictions, Atrocities Continue; Dharna Begins Today in Bhopal in January 2008, 25 houses were burned in the villages of Peepal Khotha and Juniwadi in Neapanagar tehsil, Burhanpur district, Madhya Pradesh. Forest officers,

- along with more than 100 hired labourers, attacked the villages afternoon. More than 25, 100 kilo sacks of grains were looted by the department, along with more than 150 chickens, 60-70 goats, money, silver, utensils and clothing. All those attacked had been cultivating their lands since 1979. <http://forestrightsact.com/index.php/Forest-Rights-Act-2006/Scheduled-Tribes-and-Other-Traditional-Forest/125-Houses-Burned-As-Evictions-Atrocities-Continue-Dharna-Begins-Today-in-Bhopal.html>.
- 11 World Rainforest Movement (WRM) bulletin No 135, October 2008. The bulletin carries the report of the National Forum of Forest Peoples and Forest Workers (NFFPFW) from village Harna Kachar, Sonhadra district of Uttar Pradesh, where on 24 September 2008 a mob of more than 300 peoples consisting of the police, forest department, revenue officials and dominant sections of the village attacked poor dalit and tribal communities who have been struggling for rights to forestland which had been illegally taken over by the forest department alter independence. The struggle was under the leadership of women. Over 20 tribal and dalit women were injured in this atrocity which was inflicted on the community after the implementation of the historical 2006 Forest Rights Act. In the attack, over 20 dalit and tribal women were injured. They were ruthlessly beaten by sticks, their belongings – clothes, utensils, grains, cycles, livestock, etc – were looted, and around 100 of their huts were lit on fire. This atrocity was inflicted on tribal and dalit women after the implementation of the historical 2006 Forest Rights Act.
- 12 AP Tribal Welfare Department organised a two-day workshop on 16 and 17 February 2008, for all district-level officials from districts where there are forests in AP – these included scheduled and non-scheduled areas. Department representatives from tribal welfare, revenue, forests, and local NGOs and

- adivasi organisations were invited to participate.
- 13 Society for Elimination of Rural Poverty (SERP), is implementing Indira Kranthi Patham (IKP) a World Bank project which was known as Andhra Pradesh District Poverty Initiatives Programme (APDPIP) between 2000 and 2005 and Andhra Pradesh Rural Poverty Reduction Programme (APDPRP) from 2003-09 in all the 22 rural districts of AP. The project works through over eight lakh women self-help groups. The project has appointed social mobilisers from the villages to execute their work. <http://www.rd.ap.gov.in/>, viewed on 21 July 2009.
- 14 According to the FRA rules (3-8) the process of claims verification will happen through a three tier system beginning with the gram sabha, a sub divisional level committee (SDL), a district level committee (DLC) and a state level committee that shall be set up to be responsible for verifying the claims at their respective levels, and granting final approval to the claimants. The gram sabhas will be convened and will elect a Forest Rights Committee. The gram sabha will then announce a call for claims, and authorise the FRC to collect the claims, survey and verify them, and pass a resolution on accepted claims, sending them on to the next level. The final authority of approving and according rights, rests with the DLC. Ministry of Tribal Affairs, <http://tribal.nic.in/index1.html>.
- 15 Under the Joint Forest Management (JFM) Programme in Andhra Pradesh, 8,343 VSS in the state are actively involved in the protection and development of forests. These VSS are managing 22.89 lakhs ha of forest area or 29% of the total states forest lands. The JFM programme was financed by the World Bank (Andhra Pradesh Forestry Project) in the form of a loan to the tune of Rs 365 crore between 1995 and 2000 and in the second phase (Andhra Pradesh Community Forestry Programme)

- to the tune of Rs 650 crore from 2002 to 2007, subsequently extended to 2010, <http://forest.ap.nic.in/>, viewed on 4 August 2009.
- 16 Status report on implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (for the period ending 30 June 2009). Annexure 1. <http://www.tribal.nic.in/index1.html>
- 17 Social mobilisers of the Indira Kranthi Pathakam project, officials involved in processing the claims.
- 18 Ibid, 15.
- 19 FRA 2006, Sec 4 (6).
- 20 100 cents is equal to 1 acre of land.
- 21 RTI Information obtained from ITDA, Srikakulam for Gorlapadu Gram Panchayat, Srikakulam district, AP by Chinnayya Adivasi Vikas Sangham, Srikakulam, July 2009.
- 22 Sakshi Newspaper 16 June 2009.
- 23 [http://www.envfor.nic.in/divisions/forcon/Campa\\_order\\_meaning.pdf](http://www.envfor.nic.in/divisions/forcon/Campa_order_meaning.pdf), 15 July 2009.
- 24 Government to give Rs 360 crore to VSS for forest growth. [www.expressbuzz.com/edition/story.aspx](http://www.expressbuzz.com/edition/story.aspx). Express News Service, first published: 22 July 2009 02:23:00 AM IST.
- 25 According to the Union Budget allocations for Environment and Forests 2009-10, the Andhra Pradesh government has earmarked Rs 500 crore as part of their NREGA allocations to afforestation programmes. [www.envfor.nic.in/mef/U\\_B\\_A\\_EF.pdf](http://www.envfor.nic.in/mef/U_B_A_EF.pdf)
- 26 YSR distributes certificates of land titles to STs. *The Hindu*, 9 June 2009, Hyderabad.
- 27 Fifty more days of work under NREGS. *The Hindu*, 6 July 2009, Rampachodavaram, East Godavari district.
- 28 Working days under NREGS to be increased, P V Krishna Rao, [www.expressbuzz.com/edition/](http://www.expressbuzz.com/edition/)
- 29 Arora (1988) described the eastern ghats to be home to 96 species which are wild relatives of crops. The eastern peninsular region which includes the eastern ghats is a centre of rich crop-diversity for crops such as rice, sorghum, finger millet, pearl millet, foxtail millet, little millet, proso millet, kodo millet, black gram, green gram, cowpea, horse gram, *mucuna*, pigeonpea, *dolichos* bean, rice bean, taros, yams, elephant-foot yam, banana, mango, lemon/lime, jackfruit, Niger, brassicae, sesame, ginger, turmeric, chilli/capsicum, kenaf, sugar cane, coconut, cotton.
- 30 The Andhra Pradesh Tribal Development Project (APTDP) was appraised by IFAD in December 1990. The loan became effective on 27 August 1991 and closed on 31 March 1999. The total project cost was \$46.5 million, funded by the governments of India/Andhra Pradesh (\$19.5 million), IFAD (\$20.0 million) and The Netherlands (\$7.0 million). The cooperating institution was the United Nations Office for Project Services. The Tribal Welfare Department of the Government of Andhra Pradesh was the executing agency, with overall responsibility for project implementation. [http://www.ifad.org/evaluation/public\\_html/ekysyst/doc/agreement/pi/andhra.htm](http://www.ifad.org/evaluation/public_html/ekysyst/doc/agreement/pi/andhra.htm)
- 31 Ibid, 30. Completion evaluation report.
- 32 Pers comm. Adivasi Aikyia Vedika.
- 33 The World Bank has mobilised a fund to demonstrate projects that sequester or conserve carbon in forest and agro-ecosystems. The Fund, a public/private initiative administered by the World Bank, aims to deliver cost-effective emission reductions, while promoting biodiversity conservation and poverty alleviation. The BioCarbon Fund can consider purchasing carbon from a variety of land use and forestry projects; the portfolio includes Afforestation and Reforestation, Reducing Emissions from Deforestation and Degradation and is exploring innovative approaches to agricultural carbon.
- 34 P Raghuvveer and Verghese Paul, "Carbon for People: Developing a Case for CFM Communities in Andhra Pradesh", [http://www.glowarmkerala.org/Global Warming - Kerala \(Abstracts\) January 2009](http://www.glowarmkerala.org/Global Warming - Kerala (Abstracts) January 2009).
- 35 M S Haque, "NABARD's Initiatives in Promoting Forestry Projects for Mitigating Climate Change Kerala (Abstracts)" - January 2009, *ibid* 34.
- 36 The Guidelines on State Compensatory Afforestation Fund Management and Planning Authority (State CAMPA). 8 (d) (i) provision of goods such as wood, non-timber forest products, fuel, fodder and water, and provision of services such as grazing, tourism, wildlife protection and life support; (ii) regulating services such as climate regulation, disease control, flood moderation, detoxification, carbon sequestration and health of soils, air and water regimes; and (iii) non-material benefits obtained from ecosystems, spiritual, recreational, aesthetic, inspirational, educational and symbolic; and supporting such other services necessary for the production of ecosystem services, biodiversity, nutrient cycling and primary production, *ibid* 25.
- 37 Govt to assess climate gain; pump millions in forests. [www.livemint.com/2009/07/31/7172709/Govt-to-assess-climate-gain-p.html](http://www.livemint.com/2009/07/31/7172709/Govt-to-assess-climate-gain-p.html), posted: Friday, 31 July 2009, 5:27 PM IST.
- 38 "India and Climate Change, Ministry of Environment and Forests", Government of India <http://www.moef.nic.in>
- 39 Ibid, 23. [mef/initiatives\\_cc.pdf](http://www.moef.nic.in/mef/initiatives_cc.pdf)
- 40 Village Chalpadi, was the first village to sell carbon credits equivalent to 900 tonnes of carbon dioxide worth \$4,000 (Rs 1,86,800) in March 2003 to Germany in verified emission reduction. In February 2004, 42 individuals from five countries decided to offset emissions of their private cars by buying the equivalent of 160 tCO<sub>2</sub> from Kommuguda (D'Silva 2005).
- 41 Pers comm, Adivasi Chaitanya Sangham, Adilabad.
- 42 *Surya* Newspaper, Adilabad district special, 4 June 2009, "Kanabadani Kanuga Viplavam".
- 43 Ibid, 41.
- 44 "Indigenous Peoples' Global Summit on Climate Change", Anchorage Alaska, 24 April 2009 <http://www.indigenoussummit.com/>, The Anchorage Declaration.

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