A large number of the members of the Denotified & Nomadic Communities have been engaged in agricultural activities in one way or another for over centuries, irrespective of what is supposedly their traditional occupation, and often in addition to that. Therefore, it becomes necessary to know what some recent policies have to say about one or other section from these communities.

The National Commission on Farmers under the chairmanship of Prof. M. S. Swaminathan gave its final Report to the Government of India in October 2006. Similarly, the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act came into force in December 2006. Both these documents are essentially inclusive and it will be beneficial for our Denotified & Nomadic Community members to know how these two documents potentially also address their interests, as well as that they have to act to actually attain the benefits from these policies. Following are only the excerpts or sections from the two policy documents which are relevant to our friends.

The complete documents and more related information can be obtained from the official websites: http://krishakayog.gov.in and http://www.forestrights.nic.in.

REVISED NATIONAL POLICY FOR FARMERS

1.3.1 Definition

For the purpose of this Policy, the term “farmers” will refer to both men and women, and include landless agricultural labourers, sharecroppers, tenants, small, marginal and sub-marginal cultivators, farmers with larger holdings, fishers, livestock and poultry rearers, pastoralists, small plantation farmers, as well as rural and tribal families engaged in a wide variety of farming related occupations such as apiculture, sericulture and vermiculture. The term will include tribal families sometimes engaged in shifting cultivation and in the collection and use of non-timber forest products. Farm and Home Science Graduates earning their livelihoods from crop and animal husbandry, fisheries and agro-forestry will have their rightful place in the world of farmers and farming. The gender-specific needs of women in each category will also be recognized.

1.4 Asset Reform

1.4.1 The purpose of asset reform is to ensure that every man and woman in villages either possesses or has access to a productive asset like land, livestock, fishpond, homestead
farm or income through an enterprise, or a market driven skill, so that household nutrition security is safeguarded, and children are able to go to school.

1.4.2 Land

1.4.2.1 The ownership of land is highly skewed with over 60% of the rural households owning less than one hectare. Farmers owning over one hectare comprise about 28% of rural families. The landless population amounts to 11.24% of rural households. These data relate to 1991-92 and it is obvious that by now there would have been further fragmentation of holdings leading to a much larger incidence of very small operational holdings.

1.4.2.2 The first and foremost task of the National Policy for Farmers would be in the area of land reform with particular reference to tenancy laws, land leasing, distribution of ceiling surplus land and wasteland, providing adequate access to common property and wasteland resources, and the consolidation of holdings. The Mohan Dharia Committee recommendations on Wasteland Development should be implemented since it will be more appropriate to refer to wastelands as wasted lands. Following the conferment of land rights to women under the Hindu Succession Amendment Act (2005), the provision of appropriate support services to women farmers has become urgent. *Joint Pattas* for both houses and agricultural land are essential for women to get access to credit with alternative collateral till the *pattas* are issued. The Land Acquisition Act needs review and revision, with particular reference to the formula for calculating compensation.

... Land for the Landless

1.4.2.4 The ownership of a small plot of land will help the family improve household income and nutrition security. Wherever feasible, landless labour households should be provided with at least 1 acre per household, which will give them space for home gardens and animal rearing. The allotment of such land should be in the name of the woman or in the joint names of both husband and wife. Tamil Nadu’s recent example of allocation of land to the landless deserves to be studied and emulated throughout the country.

...  

1.4.4 Livestock

1.4.4.1 Livestock, including poultry, is the second major land-based livelihood, contributing 26% of the agricultural GDP in 2004-05. It is clear that livestock and livelihoods are very
intimately related in our country and that crop-livestock integrated farming is the pathway to farmers' well being.

1.4.4.2 The ownership of livestock is much more egalitarian since resource poor farmer families own a majority of cattle, buffalo, sheep and goats. Women play a critical role in the care and management of livestock, but may not have ownership rights, and hence the cooperative model of production should be encouraged. The major constraints experienced by such families relate to fodder, feed, healthcare and remunerative price. There is an urgent need for establishing Livestock Feed and Fodder Corporations at the State Level for ensuring availability of quality fodder and feed. Such a Corporation should be a facilitating body for providing seeds and planting material of improved varieties to Self-help Groups (SHGs) for local level production. The productivity of our livestock is low and can be easily improved through better nutrition and healthcare. Agri-clinics operated by veterinary and farm science graduates will be very helpful to enhance the income of livestock owners through higher productivity. At the same time, crop-livestock integrated farming systems should be promoted since this will not only help improve income and household nutritional security, but also facilitate organic farming. Livestock insurance also needs revamping and should be made accessible to small livestock owners.

1.4.4.3 A National Livestock Development Council may be established to give integrated attention to all aspects of this important sector, such as breeding policy, feed and fodder, healthcare through Para-veterinary professionals, marketing, value addition, biomass utilization (skin, bones and blood) and efficient use of animal energy, for example, through improved bullock carts.

1.4.5 Fisheries

1.4.5.3 Aquarian reforms should enable resource poor fisher and labour families to earn their livelihood from capture and culture fisheries in a sustainable manner. Other aspects of policy that need attention are:

i) “Fish for All Training and Capacity Building Centres” which can impart training to fisher families in all aspects of the capture/culture–consumption chain.

x) The coastal communities can also be enabled to raise bioshields comprising mangroves, *casuarina*, *salicornia*, *atriplex* and other halophytic plants, to safeguard the lives and
livelihoods of coastal fisher and farm families in the event of cyclonic storms and seawater inundation, as for example like the one caused by tsunami of December 26, 2004.

xi) The National Aquaculture Authority and the NFDB should work together, so that capture fisheries and aquaculture become mutually reinforcing in improving the economic well-being of fisher families and the nutritional well-being of consumers. In all structures, the special needs and concerns of women should be included and they be given representation.

xii) Fisher families can be trained to take up additional income-earning activities like poultry farming, fish pickle preparation, agar production, pearl oyster culture and other enterprises.

1.4.7 Animal Genetic Resources

1.4.7.1 The burden of conservation of genetic resources cannot be allowed to fall on the largely impoverished communities which maintain animal genetic diversity. A system of rewards and incentives must be developed to enable and motivate people to conserve their breeds under the Biodiversity Act. The Biodiversity Fund should be used for such purposes. Livestock keepers’ inherent rights to continue to use and develop their own breeding stock and breeding practices should be acknowledged. The government must recognise these rights, acknowledge livestock keepers’ contribution to the national economy, and adapt its policies and legal frameworks accordingly. This is particularly important to pre-empt attempts to use the intellectual property system to obtain control over animal resources which are an important component of the country’s food and livelihood security systems.

1.4.7.2 Apart from conserving genetic diversity and acknowledging the vital role of livestock keepers, there is a need to document the indigenous knowledge of pastoral communities about animal maintenance and breeding. Community-based conservation and development of indigenous livestock breeds and species should be encouraged, with a special focus on both hot and cold arid and semiarid areas where the genetic diversity and associated indigenous knowledge are particularly well developed. State Farms could be used to promote in situ conservation of animal breeds, even those that are amenable to ex situ conservation. Grazing lands must be earmarked to enable the conservation of animal genetic resources. Documentation of special traits should be done in the context of the new biology and new nutritional needs or for other economic traits like hide/leather quality. Offshore Quarantine Centres should be developed for screening germplasm for resistance to serious diseases like the H5N1 strain of avian influenza virus.

1.4.7.3 In Brazil and other Latin American countries as well as in Africa, there is a demand for Indian breeds of cattle and buffaloes. Animal Science Graduates and SHGs may be
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encouraged to maintain pedigree animals of these breeds for the purpose of developing export opportunities. However, export of all biological material including animals should be done in strict accordance with the provisions of the Biodiversity Act.

1.7 Special Categories of Farmers

1.7.2 Pastoralists

1.7.2.1 The Draft Scheduled Tribes (Recognition of Forest Rights) Bill, 2005 envisages, “rights of use or entitlements such as grazing in forests and traditional seasonal resource access of nomadic or pastoralist communities”. This Act is yet to be passed by Parliament. [As we know, this Act has been passed in Dec. 2006 and now the Rules pertaining to its implementation have also been declared; and the procedure of registering the ‘claims’ and their verification has been initiated in some states.] Many of the Joint Forest Management Committees are designed to provide opportunities to tribal families and pastoralists for access to non-timber forest products. The following steps are needed to ensure the livelihood rights of pastoralists:

i) Restoration of traditional grazing rights and camping rights in forest areas including wildlife sanctuaries and national parks, and also those areas earmarked for grazing purpose in village common lands.

ii) Formalizing entitlements (including issue of permanent grazing cards) for traditional pastoralists / herders maintaining native animal breeds to enable free access to notified or demarcated grazing sites and migration routes.

iii) Whenever a tree planting programme is to be implemented, alternative grazing land and drinking water resources for animals should be allotted by the concerned authorities. It should be mandatory for the implementing agency before initiating afforestation to seek prior consent from forest dependent communities including pastoralists. Rotational system of grazing should be encouraged instead of complete closing of forest zones for tree plantation purpose.

iv) In-depth documentation and characterization of indigenous livestock breeds should be carried out to recognize and protect the IPR of the local communities / individuals conserving these livestock breeds.
v) Pastoralists should be involved in all local natural resource management programmes, including village forest committees.

vi) Common land assigned to Forest Departments and unutilized or encroached land should be retrieved and brought under the control of village level committees or grassroots institutions for pasture development.

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The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Definitions: 2. In this Act, unless the context otherwise requires,-

(a) “community forest resource” means customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access;

(c) “forest dwelling scheduled tribes” means the members or community of the Scheduled Tribes who primarily reside in and who depend on the forests or forest lands for bona fide livelihood needs and includes the Scheduled Tribe pastoralist communities;

(d) “forest land” means land of any description falling within any forest area and includes unclassified forests, undemarcated forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks;

(n) “sustainable use” shall have the same meaning as assigned to it in clause (o) of section 2 of the Biological Diversity Act, 2002;
(o) “other traditional forest dweller” means any member or community who has for at least three generations prior to the 13th day of December, 2005 primarily resided in and who depend on the forest or forests land for *bona fide* livelihood needs.

Explanation – for the purpose of this clause, “generation” means a period comprising of twenty-five years;

...
(i) right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;

(j) rights which are recognised under any State law or laws of any Autonomous District Council or which are accepted as rights of tribals under any traditional or customary law of the concerned tribes of any State;

(k) right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity;

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

(m) right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th day of December, 2005.

_The Rules towards the implementation of this Act, along with forms of claims have been published in January 2008 and the whole document may be viewed on the official websites of Ministry of Tribal Affairs - http://tribal.gov.in/ and http://www.forestrights.nic.in._