**‘I have no say when Environment Ministry gives clearances for mining rights’ | The Indian Express**

‘I have no say when Environment Ministry gives clearances for mining rights’ Summary. In this Idea Exchange,Tribal Affairs Minister V Kishore Chandra Deo says the Naxal problem shouldn't be seen as a "mere law-and-order problem" and why when he says tribals need roads and electricity,he is not "diluting" the Forest Rights Act. This session was moderated by Senior Editor D K Singh. Related. In this Idea Exchange,Tribal Affairs Minister V Kishore Chandra Deo says the Naxal problem shouldn’t be seen as a “mere law-and-order problem” and why when he says tribals need roads and electricity,he is not “diluting” the Forest Rights Act. This session was moderated by Senior Editor D K Singh. D K Singh: After the latest attack on Congress leaders in Chhattisgarh,you said Salwa Judum was a <U+0093>sinful strategy<U+0094>. Could you elaborate on this? What was the Salwa Judum? What was happening was that many of these tribal youth were brought by these security forces and kept in groups,almost like in concentration camps. Maybe they were given Rs 1,500 a month and trained in how to use rifles and guns. Ultimately,what happened was that both the Maoists and the security forces used these youngsters to kill each other. What could be more sinful than this? Apart from this,you cut them off from their homes. Which means that you also deprive them of their traditional sources of livelihood. The government couldn<U+0092>t even provide proper security cover in these concentration camps. Ultimately,the Supreme Court had to intervene to stop this. But the shadow of Salwa Judum has still not left us. Even at that time,I had opposed it,within and outside the party but there were a few people here and there who thought that this was the best thing to do. Salwa Judum has left very bad memories in the mind of the tribals and all these people who live in these areas. DK Singh: Following this Chhattisgarh incident,there has been some churning in the party on the approach to be taken on Maoists. The latest thought process is that Maoists are terrorists. Do you subscribe to that view? I don<U+0092>t think the party made any such statement. Maybe one odd individual said so. This was a terror-like attack,but when you say <U+0093>terrorists<U+0094>,are you trying to paint all tribals with the same brush and say all of them are terrorists? Terrorism has a different connotation altogether. You are dealing with people within your own country. You<U+0092>re dealing with civilians. This (calling them terrorists) may have been a knee-jerk reaction. Seventeen people died…but one has to think beyond that. Also,before this,there was an incident in which 17 tribals were killed,out of which about eight were children. I don<U+0092>t think within the party there has been any substantial change except for some reactions to this particular issue. So I think that cannot be generalised as a change of thinking within the party. Coomi Kapoor: Last week,Mr KPS Gill said there can<U+0092>t be negotiations until law and order is restored in Chhattisgarh. Do you agree with that view? This is a question of whether the chicken or egg comes first. Mr Gill is a policeman,he<U+0092>s dealt with situations in Punjab but this is a different kind of a situation. My point is,for development to take place,why do you need talks? Tribal people have come to this stage because of extreme exploitation,because no development has reached these parts. So if there<U+0092>s a place where you want to make a road and if there are Maoists who are obstructing,use the security forces as cover and carry on with the work. Let<U+0092>s see how the Maoists blast it. I don<U+0092>t think anyone in tribal or forest areas will say we don<U+0092>t want houses,drinking water,roads. In fact,the entire Naxal jargon has been that there is no development taking place in this area,therefore we are there to help you. I represent a constituency where Naxalite activity began in the mid <U+0091>60s. And there,today the Naxalites are not welcome in the tribal villages. So it is through this process of development,by giving them medical facilities and educational institutions,that we<U+0092>ve been able to contain this problem. This kind of a movement<U+0097>whether it<U+0092>s the Maoists or the security forces<U+0097>you cannot carry on without the support of at least a section of the local people. Unni Rajen Shanker: You talk about areas and people where no development has reached. But isn<U+0092>t this the failure of the Congress party which ruled India for six decades? I<U+0092>m not blaming anybody. I think it<U+0092>s the failure of all political parties,whether it was my party or any other party. Congress party also shares the responsibility for this failure. Maneesh Chhibber: You<U+0092>ve also spoken about holding talks and the GoI has been repeatedly saying that we are open to talks,but talk with whom? I<U+0092>ve not said hold talks,I said you carry on the development process. There is a gap of trust and faith between both sides. So each time you hold talks,you don<U+0092>t know how far your talks are actually serious. But yes,in a democracy,we believe in dialogue. This is a socio-economic problem,which has to be sorted out politically. Here (in Naxal areas),we are talking of extreme exploitation. In fact,people here have no proof to show that they are citizens of this country. In Chhattisgarh,60,000 square km of land is not surveyed even today. These are areas that will take you back into the dark ages. That<U+0092>s the condition of poverty there. The Central government can only start a new scheme,disburse funds. Ultimately,the state governments are the implementing authorities. Now,money is being sent to many of these districts under the Integrated Action Plan. The last mile delivery is the responsibility of the state and the district authorities. Amitabh Sinha: Do you think the Bastar attack is going to become an excuse for the state and the Centre to take a more hardline approach in Naxal areas? At the CMs<U+0092> meeting,the Andhra model was talked about as the right model. There are some colleagues,both in my party and other parties,who would like to take it as a mere law-and-order problem. But a mere emotional outburst at one meeting doesn<U+0092>t mean much. The Andhra model is certainly not about treating it as a mere law and order problem. We could contain it only because there was development also. Rakesh Sinha: Do you agree that the Maoists moved into areas where the state abdicated its responsibility? Absolutely. For example,when the Maoists found there was no sympathy from the local people in Andhra,they moved across the borders to Orissa and Jharkhand. When I first came to Parliament,the Naxal movement was at its peak in Andhra Pradesh. At that point of time,the governments of Madhya Pradesh and Orissa just did not cooperate. I spoke to the CMs of those two states,but their attitude was,why should we cross swords? It is an Andhra problem. Dilip Bobb: The government has talked about the fact that the Naxals have very sophisticated weaponry and the hint is that there are some foreign elements behind this. Do you have any evidence of that? I<U+0092>ve been told that they use AK-47 rifles. But I don<U+0092>t know if they have any direct contact with any foreign insurgent elements. Unfortunately,there is a very disturbing factor<U+0097>I<U+0092>ve no proof for what I<U+0092>m saying but I<U+0092>ve heard from certain quarters that not all but many police officials who are part of such (Naxal) operations actually do not want them to end because of the huge amount of money they get through funds and that flow will stop the moment (the Naxal problem) is controlled. I hope this is not true,but I have have been getting such reports from several sections. N P Singh: Doesn<U+0092>t the existence of a <U+0091>liberated zone<U+0092> challenge the sovereignty of India? And if so,why are we not treating it as an insurgency? Because here we have several people who are our own citizens,who have not gone into this kind of thing out of their own accord. They are sandwiched between the security forces and the Maoists. What do you call those people? Do you call them insurgents? Amitabh Sinha: You are reported to have recently said that you sometimes feel powerless and that you are often not heard on matters related to tribal affairs. Do you continue to hold that view? The Forest Rights Act (FRA) is something which Parliament enacted. But implementation lies with the state governments. What I do is issue guidelines. Beyond a point,there is nothing I can do… What I meant was that I have no direct authority because land and forests are state subjects. Today when a clearance has to be given,it is the Ministry of Environment and Forests which gives the clearance. I have written to my colleagues and to all the chief ministers saying that unless there is total compliance with FRA or unless a gram sabha certifies that the FRA has been fully implemented,we should not give any clearances. There is an FAC (Forest Advisory Committee in the Environment Ministry),so I had written to my colleague,the Environment Minister,that since mine is the nodal ministry for FRA,one member should be there in the FAC from my ministry. But that was not accepted. DK Singh: There is a perception that you,along with the Environment Minister,are obstructing development projects. Why is that? I don<U+0092>t know if I am doing so <U+0093>along with the environment minister<U+0094>,but I have certainly been obstructing whatever and wherever my tribals are going to be affected<U+0097>or wherever the FRA has not been implemented. The Fifth Schedule provisions and rules have been totally ignored. I have objected to this and I will continue to obstruct. Coomi Kapoor: Is your ministry bypassed when the rights for mining are issued in tribal areas? That<U+0092>s precisely what I<U+0092>m trying to say. I have no say in the matter at all. When the clearance is given by the Environment Ministry,they don<U+0092>t require any kind of certification by my ministry or my officials. Amitabh Sinha: Would you want such powers? Of course,why not? I would prefer more powers. To begin with,I thought at least give me a membership in the FAC but even that<U+0092>s not there. Amitabh Sinha: When FRA was enacted in 2006,it was a very enabling piece of legislation. But ever since it came into effect,there have been consistent efforts to slowly dilute its provisions. You are also reported as having said that tribals need electricity lines and therefore we need to dilute some of the provisions. I still say that tribals need roads,railway lines,electricity,telephone connections. The FRA has a proviso which says that before such projects are made,the gram sabha will have to give its full concurrence. As Panchayati Raj minister,I have sent circulars to all the states saying gram sabhas must compulsorily be held at least four times a year,and more in special cases. I<U+0092>ve also said that every gram sabha meeting should be video recorded. I have not changed the rules. Where have I diluted the FRA? I may have said that tribals need roads and railways,so by saying that does the Act stand repealed? D K Singh: How do you look at this dithering within your party over Telangana? I don<U+0092>t know if it is dithering,but there has been a lot of confusion that has been created by various people from my own party. First of all,I come from Andhra region,but from the beginning I have said that I<U+0092>ll have no problem if you give Telangana but this matter should not be made to drag on like this. Now unfortunately,that has not happened. The Telangana movement started in the mid-60s and in 1971,Chenna Reddy and the Telangana Praja Samithi got some MPs. The movement died down after that. Suddenly after 30 or 40 years,you see this movement has suddenly come up…As long as YSR was there,there was no Telangana movement. So if it was such an emotional moment,if it was so deep rooted,so sensitive,why is it that it remained quiet for 30 years? You will find that during this entire period,there has been no movement or demand for Telangana from the rural areas<U+0097>from the peasantry,the working class. It has only been confined to the university campuses and a few advocates who broke a few benches and chairs in Hyderabad. I think it<U+0092>s the MPs and MLAs who are creating more noise. Unfortunately,politically too,Telangana has no space in the present scheme of things. Today my party is in power. They have a chief minister from Andhra (region),a PCC president from Andhra,a speaker from Andhra,I<U+0092>m from Andhra,we have a DGP from Andhra,the finance minister is from Andhra,the railway minister is from Andhra…so naturally,they have a genuine grouse. I<U+0092>m afraid nothing has been done to address these issues and assuage the feelings of the Telangana people. Rakesh Sinha: Postings to Naxal affected areas are still seen as punishment. What do you think the government needs to do to dispel this notion? They are punishment postings for some,but many people want these postings also. And that<U+0092>s because there is a tremendous amount of money flow in these areas that these are considered lucrative. I have been telling CMs that you must have young,committed IAS officers posted in these regions,officers whose integrity is unquestionable and who are committed to this cause and the region. We have officers like that,but in many cases,I have found that such officers are not kept for that long. Amitabh Sinha: Last year,you had a showdown with Andhra Governor ESL Narasimhan over bauxite mining in Schedule 5 areas. Do you think governors are not using their powers under Schedule 5 effectively enough? You are absolutely correct. I had written to the governors of all the scheduled areas apprising them of the powers given to them under the Constitution…I got a strange kind of enquiry from the governor of Chhattisgarh who wrote back thanking me for making him aware of the powers. But,he said,in the Chhattisgarh High Court,an Additional Solicitor General of the Government of India (Fouzia Mirza) had filed a sworn affidavit saying that the governor is bound by the advice of the council of ministers. So he wrote back,along with a copy of the affidavit,saying he would like to know the Centre<U+0092>s position. I studied that affidavit and got the Attorney General<U+0092>s opinion. And then,I also studied and got other citations from other High Court and Supreme Court judgments,where they had said that in Schedule 5 areas,the governor can invoke his powers. So I prepared my reply and sent it back to the Chhattisgarh governor. I also sent copies of all these letters and correspondence to the Attorney General,saying how can a junior officer upstage your opinion? Amitabh Sinha: Are they changing the affidavit? I don<U+0092>t know what they will do but they said the reply will be sent to the governors of all states.