



# CONFERENCE ON AGRICULTURE, LAND & FORESTS

Perspectives on the crisis and  
policy alternatives

A report by  
Focus on the Global South

October 2023

The two-day National Conference on Agriculture, Land & Forests: Perspectives On The Crisis And Policy Alternatives brought together social movements, civil society networks, researchers and academics to better understand the global and national context of the crisis facing the agriculture, land and forest sectors. During the Conference, experts and representatives from social movements and trade unions focused on assessing the adequacy and effectiveness of government policies linked to agriculture, food, land, forestry, digitalisation and climate in responding to the needs of small-scale food producers, workers, adivasis and forest dwellers. They critically examined the global developments such as the recent negotiations at international institutions such as the World Trade Organisation (WTO) and United Nations Framework Convention on Climate Change (UNFCCC), and the contexts of the G20 Summit, Indo Pacific Economic Framework (IPEF) and Free Trade Agreements (FTAs). Part A of the report captures these reflections and critical analysis. Part B captures the focused discussions on the sectors of Agriculture and Forests that brought out some key issues and a set of recommendations in terms of way forward from the current crisis which are summarised in Part C of the report.

### **Collaborating Organisations:**

All India Peoples Science Network (AIPSN)  
All India Union of Forest Working People (AIUFWP)  
Food Sovereignty Alliance  
Focus on the Global South

Report compiled by: Dhruv Somayajula and Vyom Anil

(The different sections in the report draw from various speakers at the conference)

**October 2023**



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## Introduction

The Conference on Agriculture, Land and Forests: Perspective on the Crisis and Policy Alternatives was organised at a time of multiple and concurrent crises at the global and regional level. Time and again economists have warned of an imminent global recession; there is a military build-up playing out in the Asia-Pacific region in addition to the US-China trade wars. In addition, extreme weather events in 2022 pointing towards possible climate breakdown are some of the prominent developments which require urgent deliberation. The multiple crisis is also about politics and the breakdown of multilateralism. Thus, it becomes important to see where India is situated in this crisis and how global developments are affecting it nationally. Further, the agricultural sector and the forest-dwelling groups in India face diverse concerns ranging from national level issues of poor governance and shifting priorities, to international policy decisions that render the concerns of the grassroots invisible.

The two day conference (February 18 -19, 2023) brought together global as well as local perspectives on the multiple crises of climate and economy and its repercussions on the Global South. In the Conference, various groups were invited from across India, with representatives from states such as Manipur, Mizoram, Telangana, Uttar Pradesh, Bihar, Jharkhand, Chhattisgarh, Karnataka and Tamil Nadu which included representatives from farmers, forest-dwelling tribes, scientific organisations, civil society organisations and academia. The Conference sought to put in one place the issues faced by this segment of Indian society, which is often ignored and under-reported in mainstream conversations. The participants highlighted the international context in which Indian policy-making on agriculture and forestry is being negatively influenced by global trade agreements and legal instruments. Further, innovations in data and digitalisation, and their negative effects at the local level were highlighted. The participants further highlighted the intersectional concerns faced by women and dalit minorities in these areas. The first day of the conference was divided into two sessions; firstly setting the international context on the global poly-crisis and response of multilateral institutions followed by setting national context on policy response by the government. The second day was in depth deliberation on setting the agenda for the way forward.

This report seeks to represent the concerns faced by several stakeholders in the areas of land, forests and agriculture in India. Participants in the Conference have shared detailed views regarding the concerns in their respective fields, and have mooted ideas for the way forward. The report can be broadly divided into three parts, with Part A of the report describing the discussions by the participants of the Conference on various topics and themes. Part B of this report then seeks to flesh out some of the common concerns, and takes a deep dive into some India-specific legal, policy and governance-based concerns. The paper concludes with Part C, which captures the recommendations presented by the participants in the Conference.

## A. Conference Discussions

### Setting the International Context: Global Polycrisis and Response of Multilateral Institutions

#### “POLYCRISIS” OR CRISIS OF CAPITALISM?

In order to set the international context on the polycrisis and understand its cascading effects on the life of people living at the margins, discussion on the crisis of capitalism becomes central. The crisis of capitalism is the root cause of some of the fundamental problems of our time: income inequality, environmental degradation, and the potential for exploitation of workers and resources. In fact it is the nature of the workings of global capitalism with all of the attendant geopolitical, economic, financial, military and environmental consequences that have resulted in the multiple crises.

The term poly-crisis, increasingly used by a number of European commentators, is nothing but the complex set of problems created by the particular processes of neoliberal Global Capitalism<sup>1</sup> over the last three decades. Delving deeper into its manifestation at national and local level and looking at how successful are the multilateral agencies in tackling the crisis, the evidence until now shows that they have failed.

The following examples will illustrate this:

**Ecological Crisis:** Given the strategies of development, especially the export-led growth model without regard to the environmental implications and the broader climate and planetary limits, the ecological crisis was inevitable. The material- intensive pattern of growth has reached a point of near climate breakdown much faster than anticipated. Although it was anticipated that the information and technology revolution would transform the nature of economic activities and reduce our dependence on material inputs, there has only been multiplication of use of material inputs. For instance, there are attempts to control the use of plastics, China even stopped the import of plastics for treatment, and there is also a global plastics treaty being negotiated. However, the extent of plastic waste has continued to expand at even higher rates than before. The trade in plastics has shifted direction from China to the Philippines and is now coming to India as well.

**Diseases and epidemics:** The incidence of zoonotic diseases and their rapid spread is on the rise and the global system is not equipped enough to handle it. Moreover, Antimicrobial Resistance (AMR) is spreading as a silent pandemic and at present India has the highest rate of antimicrobial resistance in the world. There is a whole range of antibiotics which are not useful any longer. . However, private players are least interested in investment in research and

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<sup>1</sup> Neoliberalism is an economic and political system that is characterised by free market principles, privatisation, deregulation, and the promotion of individual freedom and choice. It is based on the idea that the market should be the primary driver of economic growth and that government intervention should be minimised.

development of newer antibiotics to tackle antimicrobial resistance because it does not yield sustained profits. Instead, the current race among them seems to be focused on developing vaccines and boosters.

**Global Debt Crisis:** The Global Debt Crisis is going to manifest in many countries in much worse ways. As per the International Monetary Fund (IMF) records, 58 countries were in debt stress, there are six countries in actual default. According to other estimates, there are around 72 to 78 countries facing severe debt stress. Debt servicing is now one of the largest elements of public budgets across the world. The complicated aspect of this debt is that it is mostly in private hands, and particularly in private bond markets, making it impossible to track the real owners of the bonds. The international institutions have failed to provide any debt resolution to the countries suffering from the debt crisis. Resultantly, these countries are trapped in a vicious cycle of high debt servicing, reduced domestic capacity to invest in public services, and adherence to IMF conditionalities associated with borrowings which may further lead to curtailing of public services and weakening of state's welfarist role.

**Fuel and Food Crisis:** In most developing countries people living at the margins of subsistence are paying high prices for basic commodities such as food and fuel; where fuel price increase has a cascading effect leading to economy-wide inflation. Across the world, the money wages for the median worker remains the same or below since the Pandemic, with India faring even worse. In the mainstream discourse it is the Ukraine war which is blamed for increase in prices and high living expenses. However, the fact is that the Russia-Ukraine war did not lead to any change in the global supply of wheat or oil. The price rise during the war, interestingly, can be linked to the profiteering by agribusiness and fuel companies. These companies registered record high profits during this period by simply raising their prices. In addition, financial speculation, in the commodities markets which should have been banned by financial regulation after the global financial crisis has continued unabated, played a major role in pushing up the prices. The developing countries have been the worst hit during this process because the currency depreciation during the high price period makes their import bill higher even when the global prices come down.

**The Group of Seven (G7)<sup>2</sup> Crisis:** After the global financial crisis, the G7 went in for the biggest monetary expansion in the history of capitalism. In the US, the base interest rate was about 0.06 percent. Some countries such as Sweden & Japan have negative interest rates. Due to low interest rates the money easily circulates around the world to invest, especially the frontier and emerging markets. In the emerging markets it is lent at higher rates to make profits.

Amidst all these crises, the United Nations at present has very little power and the current state of multilateralism is not equipped to deal with the prevailing global problems. The international financial institutions have failed to serve their purpose and have lost their

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<sup>2</sup> Group of Seven (G7), is an international organisation made up of seven of the world's largest advanced economies. The member countries include Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

legitimacy. Their structure gives disproportionate power to the G7 and these institutions are largely driven by the requirements of developed countries, especially the US.

#### DECODING INDO-PACIFIC ECONOMIC FRAMEWORK FOR PROSPERITY (IPEF) AND WTO REFORM

The Indo-Pacific Economic Framework for Prosperity (IPEF) is a 14 nation economic initiative proposed by the United States government that seeks to promote economic growth, connectivity, and development in the Indo-Pacific region. The initiative was launched in 2022, and it aims to leverage private sector investment, support infrastructure development, and promote 'fair trade' practices in the region.

The four pillars of the IPEF are Trade (Pillar I); Supply Chains (Pillar II); Clean Economy (Pillar III); and Fair Economy (Taxation & Anticorruption) - (Pillar IV). Under the framework, the United States seeks to work with governments, the private sector, and other partners to promote sustainable and inclusive economic growth in the region. The initiative also aims to address challenges such as corruption, lack of transparency, and inadequate infrastructure that can hinder economic development.

However, these negotiations under IPEF are being held in huge secrecy, especially on the trade front. The lack of transparency is due to the governments of participating countries having reportedly signed confidentiality agreements. IPEF also has a ministerial text under each of the four pillars in public domain which lays out some of the broad objectives. All countries except India have joined all the pillars but India has not joined the trade pillar. However, many of the concerning issues under the trade pillar actually manifest in other pillars and so India might end up getting adversely affected in any case.

If we were to decode many of the terminologies which are there in the ministerial pillars keeping in mind the strategy of United States in the Trans Pacific Partnership Agreement (TPPA)<sup>3</sup> or in the US, Canada, Mexico Free Trade Agreement (FTA)<sup>4</sup> negotiations, it is striving to achieve its own prosperity. Under agriculture, although the ministerial texts appear benign and progressive, most of its clauses are geared towards commercial interests of the US entities engaged in Genetically Modified (GM) products while facing as few regulatory barriers as possible in the developing countries. Thus, the outcomes of these negotiations under agriculture may mean that the developing countries would not be able to put restrictions on import of GM products and that there will be a clash between breeders' rights and farmers' rights. There has already been a concerted effort in making developing countries

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<sup>3</sup> The Trans-Pacific Partnership (TPP) was a proposed trade agreement that aimed to deepen economic ties between 12 Pacific Rim countries, including the United States, Japan, Canada, Australia, and several other countries in the Asia-Pacific region. The negotiations for the TPP began in 2008, and the agreement was signed in February 2016 but never entered into force. The TPP was designed to eliminate tariffs and other barriers to trade and investment among participating countries, as well as establish common standards and regulations for a wide range of economic activities. Agreement covered areas such as intellectual property, labour standards, environmental protections, and access to medicines.

<sup>4</sup> A Free Trade Agreement (FTA) is a pact between two or more countries that aims to facilitate and promote free trade and economic integration among the participating countries. FTAs typically involve the elimination or reduction of tariffs, quotas, and other trade barriers on goods and services traded between the countries.

sign UPOV 91<sup>5</sup> which is an imbalanced and unfair legal instrument which curtails the rights of the farmers over the rights of seed breeders, and adversely affects traditional farming in many countries.

Another catchphrase in the IPEF is ‘smart and resilient’ agriculture, sustainable agriculture and sustainable food systems, with ambiguous distinctions between these terminologies. What is sought to be achieved through linking agriculture with the climate crisis is the forced use of GM crops. In order to ensure sustainable agriculture the idea is to ensure that land use is optimum, there is food security, high productivity without using too much fertiliser and water for irrigation and it is here that the GM seeds are pushed through. Further, because the developed countries argue that developing countries’ practices lead to depletion of resources and are unsustainable, one of the outcomes of IPEF could be enforcing the disciplining of subsidies. All this hugely compromises the ability of developing countries to provide subsidies for agricultural inputs. Thus, under the garb of the climate crisis there is an attempt by developed countries to grab markets.

WTO reform: :

At the 12th Ministerial Conference of the World Trade Organization (WTO) held in 2022, there was a discussion on the need to reform the WTO to make it more effective and relevant in today's global economy. Many countries expressed concerns about the current state of the WTO and called for significant reforms to be made. Although the direction of reform is not clear, the process is not going to be favourable to developing countries.

The first area of concern is an attempt by the European Union (EU), and a few other developed countries to give a direct formal role to the private sector in WTO processes, including negotiations. The second problematic area is empowering the WTO Secretariat in discharging its responsibilities. Not many developing countries will vouch for the contention that the WTO Secretariat works in an unbiased, objective, impartial manner and beefing up the Secretariat would deepen these problems.

#### SETTING THE BAR: INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (IPCC)

The Intergovernmental Panel on Climate Change (IPCC) is a United Nations body that was established in 1988 to provide policymakers with scientific information about the impacts of climate change, the risks associated with it, and potential mitigation and adaptation strategies. The IPCC produces periodic assessment reports that summarise the current state of scientific knowledge on climate change, as well as special reports on specific topics such as the impacts of climate change on the ocean and cryosphere.

There have been six assessment reports so far and three special reports on the cryosphere and oceans, land and setting temperature limit. Despite the commitments made at various

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<sup>5</sup> UPOV or the International Union for the Protection of New Varieties of Plants was established by the International Convention for the Protection of New Varieties of Plants. Under UPOV 91, plant breeders get a 20-25 year monopoly over seeds that are new, distinct, uniform and stable. No one can produce, reproduce, sell or exchange seeds of these varieties without the breeder's permission.



Conferences of the Parties (COPs), with the latest ones being COP26 and COP27<sup>6</sup>, the United Nations Environment Programme (UNEP) warned that the world is still on track for a catastrophic temperature rise of around 2.4°C above pre-industrial levels by the end of the century. Further, the concentration of greenhouse gases (GHGs) is extremely high, especially that of methane and nitrous oxide which have implications for agriculture. The other dangerous phenomenon noticed is the absorptive capacity of carbon sinks, i.e. forests and oceans. The amount that can be absorbed is going down as temperature rises.

The last few years have seen extreme impacts of climate change, extreme heat waves, droughts, and forest fires in places such as North America and Southern Europe which never had heat waves before. There were extreme rainfall events, especially in the northern hemisphere, including India, which has caused huge damage, economic losses, and for the first time, a large number of deaths in European countries. The IPCC recommends that if we reach the set target of net zero emissions by 2050, and if total emissions of the carbon budget are within the prescribed limit by 2050, the temperature will stop rising. However, by that time if we have already emitted more than what the carbon budget is, then it doesn't matter whether we are at net zero or not, temperatures will keep rising causing further catastrophic levels of sea level rise, changes in rainfall patterns, and other extreme weather events.

However, the way net zero targets have been propagandised, there is no differentiation between developed and developing countries. It comfortably ignores the historical emissions by developed countries which caused about 77 percent of the accumulated greenhouse gases in the atmosphere. In any case, the EU and the UK have increased coal fired power plants, citing the energy crisis emanating from the Russia-Ukraine war.

Lastly, the USD 100 billion commitment for financing to developing countries is nowhere in sight. The Glasgow COP26 had put it off until 2023. There was a lot of backroom manoeuvring by the oil producing countries of the Middle East, led by the COP president in Egypt. Also, the text does not talk about renewable energy, but about low emission energy sources, which is in effect a code for switching to natural gas rather than solar or wind.

## DATAFICATION<sup>7</sup> AND AGRICULTURE

Theorising around digitalization and agriculture is a very new area. It is extremely important to connect, historicize and locate technology and digitalisation in a political and economic context. The issues such as the corporate capture of agriculture, food systems and food

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<sup>6</sup> The Glasgow Climate Change Conference (COP 26) was held in November 2021 and the Sharm el-Sheikh COP 27 in November 2022 with the aim of advancing global action on climate change. The conference was attended by leaders and representatives from 197 countries, and the negotiations focused on several key issues related to the implementation of the Paris Agreement.

<sup>7</sup> Datafication refers to the process of turning various types of data into structured and usable formats that can be analysed and utilised for various purposes. It involves the collection, analysis, and use of vast amounts of data from various sources, including digital devices, sensors, social media platforms, and other sources. It has become increasingly prevalent in modern society due to the proliferation of digital technologies and the increasing availability of data. The analysis of data can provide valuable insights into various aspects of life, such as consumer behaviour, health trends, economic patterns, and more. Datafication has been a driving force behind the growth of fields such as data science, big data analytics, and artificial intelligence.

sovereignty are well known through the social movements. With datafication, this aspect of corporate capture acquires a kind of a new form which will be discussed in this section.

Through various innovations, parts of the commons<sup>8</sup> have been turned into commodities. This is attributable to the advent of not just the role of digital technologies in society, but also the way in which the economy has changed and shifted through datafication. This is a way in which the backbone systems of our economic structures are undergoing a rapid change not only in the realm and domain of agriculture, but broadly in the realm and domain of health and welfare systems.

Today, there are no public spheres that are not controlled by corporations. Much of communication is mediated through corporations changing the entire infrastructure through datafication. Agri-business is shifting at a very foundational level. The entire intelligence economy in agriculture is based on database optimization. It is necessary to recognise the role of technology in facilitating economies of scale and scope. In fact, there is intensification of data-based optimisation in every dimension of agricultural production and food supply chains. The industrial food chain today requires big data for the supply chain, seed preservation, to how they are grown and sown, sold and used in allied industries. The farm-to-table businesses use contract farming laws to observe deals in future markets and control the production end to end.

Predicting and controlling things is now possible which can lead to a perfect opportunity for big corporations to maximise profit. For instance, the biggest pharma companies have started spreading themselves in the tech industry. Billions of data points across many acres of farmland are being collected through these architectures, right off the cloud, in various software platforms, most of which are corporatised. The world's largest farm machinery company today, John Deere, employs more software engineers than mechanical engineers. Infrastructures today are coalescing, the telecommunications infrastructure, the data infrastructure, cloud infrastructure and agricultural infrastructure, all of this is coming together because there is a big scramble for who can predict better and who can control better.

When all this gets unified, at a click of a button, corporations will determine whether the farmer is indeed eligible for subsidies or welfare measures. Recently, the Government of India undertook a Unique Land Parcel Identification (LPI) initiative. Interestingly, the idea was initially suggested by the consultancy group McKinsey. Launched in 2021, under this, every land parcel is going to be identified by drones. It will be mapped and this kind of identification and mapping is going to happen every few years. Notably, over important surveys such as the Census, the Indian government is prioritising such kinds of data collection which are in favour of tech corporations.

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<sup>8</sup> Commons refer to resources that are held in common by a group of people, rather than being owned by individuals or private entities. These resources can include natural resources such as land, water, and forests, as well as cultural resources such as traditional knowledge and cultural heritage.

The other important development is AgriStack, a Government of India backed data exchange in agriculture. Under this, aggregate information, say, different cropping systems across different regions in India will be harmonised and simplified into methodologies which are measurable. The intent is to transform real life transactions, which are usually complex and local, and not necessarily scientific and reducible into data systems into tradeable commodities. This will enable private actors to not only trade in land, but trade in data about land. Thus, the whole idea is geared towards disenfranchising and dispossessing people.

### **Setting the national context: Policy responses to the crisis**

While setting the national context it is imperative to take a synoptic view of social welfare trends, agriculture subsidies and on ground experience of people dealing directly with impact of climate, especially in the context of neo-liberal reforms.

#### SOCIAL WELFARE VIS-A-VIS NEO-LIBERALISM<sup>9</sup>

According to data from the Labour Bureau, the real rural wage growth in India has been slowing down in recent years. In 2011-12, the real rural wage growth was around 9.7 percent, but it has since declined, reaching a low of 1.8 percent in 2017-18. In 2019-20, the situation was slightly better with the real rural wage growth of 4.6 percent, which was higher than the previous year's growth of 3.8 percent. However, the COVID-19 pandemic had a significant impact on the rural economy, and as a result, the real rural wage growth slowed down in 2020-21. In 2020-21, the real rural wage growth was only 0.8 percent.

The other trends of social developments are also lagging behind and have not come at par with pre-covid levels. According to the National Family Health Survey (NFHS -5) data, the prevalence of anaemia among women in the age group of 15-49 years has increased from 53 percent in NFHS-4 to 59.5 percent in NFHS-5, an increase of 6.5 percentage points over the period of four years between the two surveys. It is important to note that anaemia is a significant public health concern in India, with high prevalence rates among women and children. The increase in anaemia prevalence between the two surveys is a cause for concern, as anaemia can have significant health consequences, including increased maternal and child mortality and morbidity.

As far as neoliberal reforms are concerned, it is not just the withdrawal of the state but reduction of the budgets for social welfare over a sustained period of time which might appear to grow in nominal terms. But as a percentage of Gross Domestic Product (GDP) and in real terms they have declined. According to data from the Reserve Bank of India, social sector spending as a proportion of GDP has increased from 6.2 percent in 1990-91 to 7.5 percent in 2018-19. However, this increase has been slower than the increase in total

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<sup>9</sup> Under neoliberalism, the role of the state is reduced in many areas, including the provision of social services, regulation of industry, and protection of workers' rights. Instead, corporations and financial institutions are given greater freedom to operate globally, often with little oversight or accountability.

government spending, which has gone up from 23.3 percent of GDP in 1990-91 to 27.2 percent of GDP in 2018-19. Notably, the Public Distribution System (PDS) which has been maligned for being a drain on the exchequer has remained between 1 to 1.1 percent of GDP since 2008.

In the case of publicly funded health insurance schemes, it can be observed that over the years the amount of budget has been reduced for the National Health Mission (NHM) and more is being allocated to health insurance schemes. It is important to note that under the insurance model the patient is forced to go to private hospitals for secondary and tertiary care while the public hospitals are starved for funds and primary health care suffers.

In the same way the Food Corporation of India (FCI) is being dismantled by distributing free ration and not paying FCI for the same. As has happened with many other public institutions, the FCI and the PDS may be gradually projected as failed institutions and eventually dismantled. The case of rice fortification is another example where control is taken away from the people's hand and placed with corporations. The problem of anaemia can be easily solved with procuring local produce for food. But pushing fortified rice is not beneficial for the people and it is instead helping create unnecessary markets for big mill companies.

The impact of low real wages and budget reductions across the social sector, and dismantling of public institutions has led to disastrous consequences. For instance, the case of Santoshi Kumari<sup>10</sup> is a tragic instance of a starvation death that occurred in Jharkhand, India in 2018. Santoshi Kumari, an 11-year-old girl, died due to starvation after her family's ration card was cancelled for not being linked to Aadhaar, a biometric identity card.

#### TRADE, AGRICULTURE, LAND AND FOREST: THE INDIAN CONTEXT

The Agreement on Agriculture (AoA)<sup>11</sup> formulated under the aegis of the World Trade Organization (WTO) in 1995 has been criticised for its negative impact on agriculture in developing countries. Specifically, the AoA has been criticised for perpetuating unequal global trade relations and favouring the interests of developed countries over those of developing countries and negatively impacting small-scale farmers in developing countries, who often lack access to advanced technologies and large subsidies.

Under the AoA, domestic support measures are classified into three categories or boxes, depending on their potential to distort trade - green, blue, and amber. The most trade-distorting measures are classified under the "Amber Box," which includes subsidies that cause price distortion, production surpluses, and trade displacement. The green box subsidies

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<sup>10</sup> Jharkhand Girl Dies After Family's Ration Denied for No Aadhaar Link, BJP Blames Malaria, The Wire (October, 2017)

<sup>11</sup> The Agreement on Agriculture (AoA) is an international treaty negotiated under the auspices of the World Trade Organization (WTO) in 1994. The purpose of the agreement was to establish rules for global trade in agriculture and to promote liberalisation of agricultural markets. The AoA sought to reduce trade barriers and increase market access for agricultural products by lowering tariffs, limiting agricultural subsidies and other forms of protectionism.

are considered non-trade-distorting because they do not provide direct support to farmers or influence production decisions. However, the developed countries have used the green box in a way that has negatively affected farmers across developing countries.

India's Minimum Support Price (MSP) program has been a subject of debate and controversy, with some arguing that it violates the WTO rules. India's MSP program is seen by some as potentially trade-distorting, as it involves the government setting a minimum price for certain agricultural commodities, such as wheat and rice, which can provide incentives for overproduction and export subsidies.

Recently the G33<sup>12</sup> a coalition in the WTO and a group of African countries submitted proposals in the WTO to protect the MSP and its related policies. The proposal seeks to amend the AoA to allow developing countries to provide public stockholding for food security purposes and protect their MSP programs from legal challenges by other WTO members. The proposal argues that developing countries should have the flexibility to set their own MSPs and domestic support measures to promote food security and rural development, without being subject to legal challenges under WTO rules. However, the recent WTO negotiations in June 2022 ignored the interests of these developing countries and the clause on public stockholding was not accepted.

#### THE MISPLACED GOVERNMENT POLICIES AND PRIORITIES

In order to analyse the Forests Right Act (FRA), it is necessary to understand the dominant historical trajectory. The colonial government controlled the land and resources, especially in forest areas. They denied the forest dwellers their rights and justice and gave the forest land to corporations and developers for the sake of national growth. The adoption of a neoliberal economic system has further advanced this process and caused conflicts over resources like infrastructure, development, and conservation, leading to a national crisis.

A prolonged struggle by the people led to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act in 2006. This law established a new, non-centralized democratic model for land and natural resource governance by empowering communities. Despite this progress, administrative officials continue to resist the law by ignoring it, confident of the political and corporate support and judicial incompetence. Impact studies after a decade have documented this resistance.

Tracing the emergence of forest rights amidst Panchayati Raj Institutions (PRIs), the FRA in its present form is based on the colonial Forest Act of 1927 which is nothing but the opposite of conservation. Similarly, the Environmental Conservation Act overlaps with FRA and creates conditions of exploitation of poor adivasis.

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<sup>12</sup> G33 is a coalition of developing countries that was formed in the lead-up to the 2003 World Trade Organization (WTO) Ministerial Conference in Cancun, Mexico. The group is made up of 47 developing countries, primarily from Asia, Africa, and Latin America.

## AGRICULTURE EXPORT

The agricultural export policies have not been based on real supply and demand. In 2015, there was a significant collapse in dairy prices across the country due to imports of butter fat and SMP (skim milk powder), which forced India to reduce its import duties to zero. Investigations later revealed that India had become increasingly integrated into the global dairy system, causing prices to plummet. The underlying logic of current export promotion is that India is now surplus in many commodities and needs foreign markets to sell this excess product.

The High-Level Expert Group on agriculture exports has flagged seven value chains, including beef, which is otherwise off the radar, and medicinal plants and organic food, which must be organised through value chains. The government claims that it will generate many jobs, but it is important to note that millions of small farmers, traders, wholesale dealers, commission agents, etc., must be organised to ensure corporations can get the profits they need.

The conversation today is focused on the replacement of these policies, but the plans for replacement are concerning, as the release of funds will be performance-based and based on an annual assessment of the progress made by the states on the indicators of growth. For instance, in the case of palm oil plantations, the National Palm Oil Mission targets two million acres of so-called wastelands. These are not wastelands but common land grazed on by animals, on which farmers and communities collect their fuel and medicinal plants. Therefore, it is imperative to rethink these plans to ensure sustainable agricultural practices and to protect the rights of small farmers and communities.

## WOMEN WORKER IN RURAL INDIA

The National Rural Livelihood Mission (NRLM) aims to empower women by converting 8.41 million self-help groups into large enterprises through aggregation, which involves linking them with big private banks for credit. However, the direct public sector bank linkage in NRLM has decreased by 4-5 percent in the last three years, with loans given by microfinance institutions to women increasing to 44-48 percent. The fact is that women's savings are being mobilised to finance the digitization of agriculture. These small finance banks have previously led to women's suicides due to indebtedness, making it clear that the program intended to create an alternative pathway for women is now leading to a death trap. Instead of providing direct loans through its public sector banking system, the government is giving priority sector loans and encouraging corporates to expand retail markets in rural areas, neglecting the need for infrastructure development.

The picture at the ground level is grimmer. The people are struggling on a daily basis to claim their rights and get their due. Part B of the report delves deeper into the issues and tries to bring out nuances of these struggles in the context of agriculture, land and forestry.

## B. Thematic Analysis

### Forestry

India is home to over 300 million people that depend on forests for their livelihood and sustenance, which includes over 104 million people who are recognised as indigenous tribes or *adivasis*.<sup>13</sup> Prior to independence, the Indian Forest Act, 1878 and its replacement, the Indian Forest Act, 1928, upturned years of traditional respect towards forest-dwelling communities by permitting the British Raj to notify tracts of forests as ‘reserved forests’. Upon being declared a reserved forest, all activities in that area were prohibited, except those sanctioned by the colonial government. This appalling practice led to widespread disenfranchisement of forest-dwelling communities who were locked out of their traditional spaces through governmental notifications. After years of campaigning for the recognition of the rights of forest-dwellers, the Indian government notified the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (the **Forest Rights Act** or **FRA**). The statement of objects and reasons for the FRA make very clear the intention behind this law. It recognizes the lapse in recognizing forest rights on the ancestral lands and habitats of forest dwellers during the colonial period which was deemed a ‘historical injustice’. Promising to correct this injustice, the FRA sought to provide a framework that recognizes and vests forest rights on such people, safeguards to prevent illegal encroachment, and seeks the help of forest dwellers in conserving traditional knowledge and the forest biodiversity.

### The role of the FRA

The FRA recognises and vests certain rights on forest dwelling scheduled tribes and other forest dwellers who could prove that they resided and depended on forests for three generations prior to 13 December 2005.<sup>14</sup> The people falling within this category were recognised as forest dwellers and entitled to individual and community rights under the FRA due to their historical context. The rights granted to forest dwellers under the FRA include (a) individual and community rights to occupy forest land and use it for habitation or sustenance, (b) rights to ownership and collection of minor forest produce, which includes all forest produce other than timber, such as tendu leaves, resin, berries, honey, roots and tubers, (c) the right to convert *pattas* granted by state governments on forest land into titles, (d) the right to settle disputed (e) the right to protect, conserve and manage community forest resources (CFR), and (f) the right to *in situ* rehabilitation for all illegal evictions or displacement of forest dwellers from their habitat prior to 13 December 2005.

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<sup>13</sup>324<sup>th</sup> Report on the Status of Forests in India, 2019, Rajya Sabha Department-Related Parliamentary Standing Committee On Science & Technology, Environment & Forests (12 February 2019)

<[https://rajyasabha.nic.in/rsnew/Committee\\_site/Committee\\_File/ReportFile/19/108/324\\_2019\\_2\\_14.pdf](https://rajyasabha.nic.in/rsnew/Committee_site/Committee_File/ReportFile/19/108/324_2019_2_14.pdf)>

<sup>14</sup> Section 2(o), Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Among these rights, individual and community rights over forest lands, the right to manage CFR and own minor forest produce, and the right to rehabilitation are crucial rights for forest-dwellers. In this context, both individual and community-based claims over the rights guaranteed by the FRA are equally important and necessary for forest-dwelling tribes. These rights affect historical injustices such as forced evictions or lack of recognition, as well as seek to provide current and future security to forest dwellers through CFR and minor forest produce. Lastly, the rights protect forest-dwelling tribes from any future displacement without rehabilitation.

The FRA further sets up a framework for processing claims to these rights. At the grassroots level, the Gram Sabha is the nodal authority tasked with processing individual and community claims over land within its jurisdiction. Upon processing and verifying these claims, the Gram Sabha is required to pass a resolution which states their recommendations on that claim and share it with the Sub-Divisional Level Committee (SDLC). The SDLC is then tasked with reviewing the resolutions issued by the Gram Sabha, preparing a record of the forest rights relating to that claim. The final step in this process is the District Level Committee (DLC) at each district, which considers the record prepared by the SDLC and gives its final approval. Applicants dissatisfied with orders issued by the Gram Sabha or SDLC can file an appeal with the next authority in this chain.<sup>15</sup>

### **Issues faced by the forest-dwelling groups in India**

While it has been over fifteen years since the notification of the FRA, the intended benefits are sorely lacking due to several issues in its implementation and the approach adopted by parts of the government. Over the years, the roadblocks to ensuring the implementation of the FRA, both in letter and spirit, include complex and time-consuming documentation and bureaucratic hurdles, unwillingness to part with control over forests, and a lack of understanding of the purposes of the FRA. Over 80 million hectares in India are recognised as forest land, which comprises around 24 percent of the geographical area of the country.<sup>16</sup> Further, as has been pointed out earlier in this report, India is home to approximately 300 million forest dwellers. Faced with these statistics, issued by the government itself, the figures presented in the dashboard set up by the Ministry of Tribal Affairs to monitor the implementation of the FRA are disappointing.

#### DELAYS AND WRONGFUL DENIALS OF CLAIMS UNDER FRA

As of 2022, only 70 million hectares of forest land has been recognised as forest land for the purposes of the FRA, with little explanation for this inconsistency. Approximately 4.5 million claims under the FRA have been recognised by the government across India.<sup>17</sup> Of these, 169,372 community rights claims and 4,297,245 individual rights claims have been submitted, with community rights claims amounting to 3.7 percent of the claims received by

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<sup>15</sup> Section 6, Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

<sup>16</sup> Chapter 2, India State of Forest Report, 2021, available at <<https://fsi.nic.in/isfr-2021/chapter-2.pdf>>

<sup>17</sup> Ministry of Tribal Affairs, FRA Dashboard, available at <<https://dashboard.tribal.gov.in/>>



the government. Approximately 50 percent of the total claims have been granted by the government, with 11 percent of claims pending and the remaining 39 percent of the claims having been rejected at various levels of the FRA. In certain states, the rate of rejection of claims is extremely high, such as in Uttarakhand (97 percent), Karnataka (84 percent), Uttar Pradesh (80 percent), and Bihar (53 percent), as also the rate of pending claims, such as in Assam (62 percent), Maharashtra (42 percent) and Bihar (46 percent).<sup>18</sup>

These numbers paint a dismal, and incomplete, picture of the issues with FRA implementation. Firstly, the total number of claims filed by various forest-dwelling groups do not account for the vast majority of claims which are refused acceptance by the government at the Gram Sabha and the SDLC level. Instances of bureaucratic loopholes and run-arounds have been widely reported, with claimants citing exhausting stories of claims being rejected on the flimsiest of pretexts.<sup>19</sup> While the FRA allows for various kinds of proofs to be submitted, including testimony from village elders, census data, government documents etc, these are then vetted through on-ground surveys by the Gram Sabha along with the forest department through the Forest Rights Committee. Instances of harassment in this process include wrongful rejection of claims despite adequate proofs being attached, failures to constitute a Gram Sabha or maintain a quorum for passing resolutions, and intimidation by the Forest Department officials.<sup>20</sup> As can be seen through these instances, either the grant or rejection of rights under the FRA can be a very time-consuming exercise, with claims passing through many government bodies even prior to reaching the DLC. A lack of legal awareness regarding their rights under the FRA also handicaps forest-dwelling groups, with several tribal-groups being forced to run from pillar to post at each step of the process to ensure any movement of their claim.

#### USE OF CONSERVATIONISM TO DEFLECT RIGHTS UNDER FRA

Other than implementation woes faced under the FRA, forest-dwelling groups face several challenges to their rights. These include legal challenges to their rights, actions taken by the government contrary to the letter and spirit of the FRA, as well as global developments impacting forest-dwelling groups at the grassroots level. While the FRA recognized the role played by forest-dwelling groups in conserving the natural habitat and helping preserve the ecology of forests, this role is not acknowledged by wildlife conservation groups concerned with encroachments and human interaction with endangered wildlife.

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<sup>18</sup> State-wise tracker, Claims Status chart, *ibid*.

<sup>19</sup> Shuriah Niazi 'Forest-dwelling communities in India continue to lose their lands, livelihoods' (8 August 2021) *Anadolu Agency*  
<<https://www.aa.com.tr/en/asia-pacific/forest-dwelling-communities-in-india-continue-to-lose-their-lands-livelihoods/2328352>>

<sup>20</sup> Ishan Kukreti, Priya Ranjan Sahu 'Forest Rights Act: Are state govts the real land mafias?' (20 March 2019) *Down To Earth*  
<<https://www.downtoearth.org.in/news/forests/forest-rights-act-are-state-govts-the-real-land-mafias--63664>>;  
Arvind Khare 'Let's not miss the wood' (27 June 2015) *The Hindu*  
<<https://www.thehindu.com/opinion/op-ed/Let-percentE2-percent80-percent99s-not-miss-the-wood/article62119723.ece>>

Legal challenges posed by environmental groups have so far been a driving force for the judiciary to act against forest-dwelling tribal groups. In 2008, Wildlife First, a wildlife and ecology conservation group, challenged the legal validity of the FRA and encroachments of forest lands at the Supreme Court. Over the course of these hearings, the Supreme Court issued an order on 13 February 2019 asking all state governments to evict all persons whose claims had been deemed rejected under the FRA, in an attempt to tackle the issue of illegal encroachment into forest land.<sup>21</sup> However, an urgent application by the Ministry of Tribal Affairs urged the court to reconsider its order, stating that the central government cannot confirm that claims under the FRA were rejected in accordance with the due process of law. Noting the impact on forest-dwelling tribes and other groups, the Supreme Court then rescinded this order on 28 February 2019, asking the state government to submit data on whether due process was followed by the states in rejecting this claim, and to share this data with the Forest Survey of India.<sup>22</sup>

#### ‘FAIT ACCOMPLI’ AND LEGAL CHANGES TO UNDERMINE RIGHTS UNDER FRA

Conversion of forests for mining projects or for eco-tourism purposes have also resulted in significant losses to forest-dwelling groups, as well as the forest ecosystem. In many cases, development commences based on initial stage approvals being obtained, presenting the forest-dwelling groups with a *fait accompli*. This was seen in the diversion of over 841 hectares of forest land in Parsa, Chhattisgarh for coal mining in 2019. In this case, the Additional Principal Chief Conservator of Forests (Central) noted that the plan for conversion would not ordinarily be considered for approval due to forest density. However, the fact that this was one of three coal blocks for which mining had already commenced in the contiguous area is cited as a factor in recommending this project for consideration.<sup>23</sup>

There are also inter-ministry conflicts that expose the lack of clarity and divergent views of the government. In 2019, the Ministry of Environment, Forests and Climate Change suggested that in-principle approval for diverting forest land for non-forest purposes may be obtained without taking into account the compliances under the FRA. This was objected to by the Ministry of Tribal Affairs, stating that such a framing would present a *fait accompli* to forest-dwelling groups.<sup>24</sup> Both ministries had consultations and agreed that tribal rights would be given a priority in such cases, as can be seen from the minutes of the joint discussion.<sup>25</sup>

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<sup>21</sup> Wildlife First v Ministry of Forest and Environment, WP (Civil) 109/2008 <[https://scobserver-production.s3.amazonaws.com/uploads/ckeditor/attachments/151/2019.02.13-Wildlife\\_First-EvictionOrder.pdf](https://scobserver-production.s3.amazonaws.com/uploads/ckeditor/attachments/151/2019.02.13-Wildlife_First-EvictionOrder.pdf)>

<sup>22</sup> Wildlife First v Ministry of Forest and Environment, WP (Civil) 109/2008 <[https://scobserver-production.s3.amazonaws.com/uploads/case\\_document/document\\_upload/664/8640\\_2008\\_Order\\_28-Feb-2019.pdf](https://scobserver-production.s3.amazonaws.com/uploads/case_document/document_upload/664/8640_2008_Order_28-Feb-2019.pdf)>

<sup>23</sup> Proposal for diversion of 841.538 hectares of forest land for non-forest purpose under Forest Conservation Act, 1980, File 8-36/2018-FC <[https://forestsclearance.nic.in/writereaddata/additionalinformation/addinfosought/0\\_0\\_711201235121218362018.pdf](https://forestsclearance.nic.in/writereaddata/additionalinformation/addinfosought/0_0_711201235121218362018.pdf)>

<sup>24</sup> Re: Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, File no. 23011/23/2012-FRA (5 April 2019) Ministry of Tribal Affairs <<https://tribal.nic.in/fra/data/ComplianceoftheSTnOOTFDRRecognitionForestRightsAct2006regarding05042019.pdf>>

<sup>25</sup> Office Memorandum, ‘Record of Discussions held in meetings with officers of Environment, Forests and Climate Change on 12/01/2018 under the chairmanship of Secretary (TA)’ File no. 23011/04/2013-FRA (6

However, in 2022, new rules under the Forest Conservation Act were notified, replacing the older Forest Conservation Rules, 2003.

Unlike the 2003 Rules, the Forest Conservation Rules, 2022 (**FCR 2022**) omits the requirement of taking consent from each Gram Sabha and completing the process of recognizing and vesting of rights under the FRA, prior to diverting forest land for non-forest purposes.<sup>26</sup> Instead, the settlement of rights and claims under the FRA are required to be fulfilled at the stage of final approval.<sup>27</sup> This omission by the FCR 2022 has significant consequences for the rights under the FRA. Entities already having secured an in-principle approval can legally commence work in these areas without any consent from the local Gram Sabha or settling claims under the FRA. The National Commission for Scheduled Tribes noted that local residents may be coerced or compelled to give up their claims and resettle elsewhere- undermining all protections under the FRA.<sup>28</sup> However, in such turf wars between ministries, harm is caused to forest-dwelling groups who are coerced or forced to move due to legal frameworks failing them.

#### IMPACT FROM GLOBAL ENVIRONMENTAL COMMITMENTS

Lastly, the implementation of safeguards against climate change and biodiversity such as carbon sequestration<sup>29</sup>, compulsory afforestation (required under the FCR 2022), or accredited afforestation schemes do not align with the rights granted under the FRA. India's commitments under the United Nations Framework Convention for Climate Change, 1994 require carbon sequestration as a measure to address climate change. However, attempts to increase forest cover and to prevent forest-dwelling groups from accessing forest land amounts to a violation of their traditional habitat. The Rajya Sabha Parliamentary Standing Committee recognized the clash between tribal rights under the FRA and privatisation or public-private partnership models recognized under the Draft National Forest Policy, 2018, and stressed on the need for inclusive decision-making on this front.<sup>30</sup>

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February 2018), Ministry of Tribal Affairs < <https://tribal.nic.in/fra/data/ComplianceoftheSTnOOTFDRecognitionForestRightsAct2006regarding05042019.pdf>>

<sup>26</sup> Rule 6(3)(d) of the Forest Conservation Rules 2003 has been omitted from the Forest Conservation Rules 2022

<sup>27</sup> Rule 9(6)(b)(ii) of Forest Conservation Rules, 2022

<sup>28</sup> Abhinay Lakshman 'Explained | Why is the tribal panel upset with Environment Ministry over forest rights?' (5 March 2023) *The Hindu*

<<https://www.thehindu.com/sci-tech/energy-and-environment/explained-why-is-the-tribal-panel-upset-with-environment-ministry-over-forest-rights/article66581584.ece>>

<sup>29</sup> Carbon sequestration is the long-term storage of [carbon](#) in [plants](#), [soils](#), geologic formations, and the [ocean](#). Carbon sequestration occurs both naturally and as a result of [anthropogenic](#) activities and typically refers to the storage of carbon that has the immediate potential to become [carbon dioxide](#) gas.

<sup>30</sup> 324<sup>th</sup> Report on the Status of Forests in India, 2019, Rajya Sabha Department-Related Parliamentary Standing Committee On Science & Technology, Environment & Forests (12 February 2019) <[https://rajyasabha.nic.in/rsnew/Committee\\_site/Committee\\_File/ReportFile/19/108/324\\_2019\\_2\\_14.pdf](https://rajyasabha.nic.in/rsnew/Committee_site/Committee_File/ReportFile/19/108/324_2019_2_14.pdf)>

## Agriculture

Farming is the primary source of livelihood for 58 percent of India's population, including for 70 percent of its rural households.<sup>31</sup> Small-scale farmers in India hold a unique position within the agricultural sector due to their sheer size. The Agricultural Census, 2016 distinguishes between marginal and small farmers, with marginal farmers owning less than one hectare of land and small farmers owning one to two hectares of land.<sup>32</sup> The average size of an operational farm holding in India has decreased from 2.28 hectares in 1970 to 1.08 hectares in 2016, indicating an increase in farm holding fragmentation in India. Small-scale farmers account for approximately 86 percent of all farmers in India, while owning approximately 47 percent of cropped area, with medium-scale farmers accounting for approximately 44 percent.

India leads the global charts in several food products, being the world's largest producer of milk, pulses and jute, and the second-largest producer of rice, wheat, sugarcane, cotton and groundnuts.<sup>33</sup> However, the share of agriculture and allied sectors in India's GDP has been consistently dropping, with a share of 41.7 percent of the GDP in 1960-1961 to a share of 16.8 percent in 2021-22.<sup>34</sup> Despite leading the world in several crops and food produced, the size of India's economy and the agriculture sector's share in it shows the changing realities over the past few decades. Consequently, it is worth examining the roles of the law, the government, the market, and to discuss the issues that have cropped up in this field over the past few decades.

### INCOME INEQUALITY AND ABSENTEE LANDLORDISM

For small-scale farmers in India, income inequality and lack of effective coverage of government schemes are realities to be contended with on a daily basis. Studies indicate the level of income inequality between large-scale farmers and small-scale farmers, with small-scale farmers earning 39 percent to 64 percent of their income through wages, while large-scale farmers earn merely 3 merely through wages.<sup>35</sup> This is a relevant statistic as it shows the dependency of small-scale farmers on work outside of farms for daily subsistence, and also reflects on the inability of the farm output to be sufficient for their livelihood. The same studies also indicate a ten-fold level of income for large-scale farmers on a cumulative basis compared to small-scale farmers. This data reflects the inability of the current system to

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<sup>31</sup> Agriculture and Allied Industries Industry Report, 2022, India Brand Equity Foundation, Ministry of Commerce and Industry <<https://www.ibef.org/industry/agriculture-india>>

<sup>32</sup> Department of Agriculture, Cooperation & Farmers Welfare 'All India Report on Agricultural Census, 2015-2016' (2020) available at <  
[https://agcensus.nic.in/document/agcen1516/ac\\_1516\\_report\\_final-220221.pdf](https://agcensus.nic.in/document/agcen1516/ac_1516_report_final-220221.pdf)>

<sup>33</sup> India at a glance, Food and Agriculture Organization, United Nations < <https://www.fao.org/india/fao-in-india/india-at-a-glance/en/>>

<sup>34</sup> World Bank national accounts data, and OECD National Accounts data files., 'Agriculture, forestry, and fishing, value added ( percent of GDP)- India', World Bank < <https://data.worldbank.org/indicator/NV.AGR.TOTL.ZS?end=2021&locations=IN&start=1960&view=chart>>

<sup>35</sup> Sanjay Chakraborty et al 'Land Distribution, Income Generation and Inequality in India's Agricultural Sector' (2019) *The Review of Income and Wealth* 65(S1) <<https://onlinelibrary.wiley.com/doi/10.1111/roiw.12434>>

provide adequate support for the small-scale farming sector, which makes up approximately 86 percent of the farming sector in India.<sup>36</sup>

In this regard, greater initiative is required to organise the small-scale farming sector and address its concerns. Addressing the major issue of tenant-farming and the rise of absentee landlordism are necessary policy reforms. Making small-scale farmers profitable through cultivation-based income through direct trade with consumers is a viable step in that direction. Absentee landlords are those individuals who own agricultural land, but do not directly cultivate it or use it. Instead, the preferred approach is to lease the land out to tenant farmers who would then cultivate this land year-round, while taking a share of the final harvest and gains. Naturally, this system is directly harmful to the tenant-farmers in the long-run, as it renders them invisible to the government, which recognizes individuals as ‘farmers’ based on their landholding.<sup>37</sup> Programs such as *Rythu Bharosa* and *Krushak Assistance for Livelihood & Income Augmentation* in certain states help offer credits and loan waiver programs to small-farmers for greater liquidity.<sup>38</sup> However, beneficial schemes such as direct cash transfers or subsidies cannot be availed by those who cultivate the land of an absentee landlord, nullifying the purpose of these schemes. Absentee landlordism and its attendant downsides are set to be multiplied with the proposed plan to integrate land records with Aadhaar identities under the ‘Digital India Land Records Modernization Programme’, issued by the Ministry of Rural Development in 2021.<sup>39</sup> With mandatory linkages between Aadhaar details and land parcels based on landholders’ identities, the tenant farmers in India are set to suffer further hurdles in accessing their entitlements under welfare schemes.

#### SYNTHETIC MATERIALS USED IN FARMLANDS

The Green Revolution was possible due to adoption of synthetic fertilisers and high yield variety (HYV) seeds by Indian farmers. Indian laws offer subsidies for the use of chemical fertilisers such as urea, potash and phosphates.<sup>40</sup> In certain parts of India, the use of synthetic

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<sup>36</sup> Sayantan Bera ‘Small and marginal farmers own just 47.3 percent of crop area, shows farm census’ (1 October 2018) LiveMint  
<<https://www.livemint.com/Politics/k90ox8AsPMdyPDuykv1eWL/Small-and-marginal-farmers-own-just-473-of-crop-area-show.html>>

<sup>37</sup> Dhananjay Rohini ‘Finding the unseen: The curious case of India’s missing farmers’ (4 May 2020) Times of India  
<<https://timesofindia.indiatimes.com/blogs/matters-of-impact/finding-the-unseen-the-curious-case-of-indias-missing-farmers/>>

<sup>38</sup> Rahul Pisharody ‘Explained: Rythu Bandhu, Telangana govt’s DBT scheme for farmers’ assistance’ (29 December 2021) The Indian Express  
<<https://indianexpress.com/article/explained/explained-rythu-bandhu-telangana-govt-dbt-scheme-farmers-7696651/>>; ‘Letter from Chief Secretary to district collectors on KALIA Scheme’ (29 December 2018) D.O. No. Agril&FE/AP-I-247/18-234381/CS  
<<https://kalia.odisha.gov.in/assets/guidelines/C-S-letter-on-KALIA-Scheme-to-Collectors.pdf>>

<sup>39</sup> Nihar Gokhale ‘Centre’s Plans To Link Aadhaar With Land Records Moves A Step Closer To Reality’ (15 July 2021) *The Wire*  
<<https://thewire.in/government/centres-plans-to-link-aadhaar-with-land-records-moves-a-step-closer-to-reality>>

<sup>40</sup> Ministry of Chemicals and Fertilizers ‘600 Pradhan Mantri Kisan Samridhi Kendra opened to act as “One Stop Shop” for all the agriculture related inputs and services’ (23 December 2022) Press Information Bureau <<https://pib.gov.in/PressReleasePage.aspx?PRID=1886054>>

fertilisers leads to issues at two levels. Firstly, the subsidies offered to urea are claimed and urea is diverted to usage for illicit purposes. Secondly, the continued use of such chemicals present a threat to soil quality, yield rates and consequently, farmer welfare. In the state of Manipur, countless instances have been recorded of urea being diverted and sold in the black market for its use in poppy farms.<sup>41</sup> Such diversion is leading to scarcity in the market for regular farmers, with farmers being unable to access necessary fertilisers in time for their harvests and being forced to take political action through protests and sit-ins.<sup>42</sup>

Further, after nearly half a century of such chemical usage, the after-effects in terms of soil health and pest evolution are being noted. The overuse of chemical fertilisers has been directly linked to increase in soil acidification and salinization of the soil.<sup>43</sup> Researchers draw a direct link between soil degradation to poor crop rotation and inadequate organic matter inputs in India.<sup>44</sup> The reliance on chemical fertilisers compounds soil degradation, causing soil acidification and deterioration of the rhizosphere.<sup>45</sup> This land degradation results in lower crop yields year-on-year. Given that chemical treatment of farmlands is directly linked with changes in its soil quality, alternative forms of fertilisers and pesticides are urgently required. A shift in policy to support alternative forms of fertilisers and pest-management, as suggested through natural farming approaches, must be backed by the central government to help yield rates and soil quality. However, the present policy framework seeks to subsidise chemical fertilisers and pesticides, as a result of which farmers seeking to better soil quality through natural farming means are unfairly punished with greater costs.

#### NATURAL FARMING AS AN ALTERNATIVE

Natural farming, a traditional chemical-free approach to farming, can mitigate concerns arising through the overuse of synthetic fertilisers and pesticides. Studies have shown the efficacy of crop diversification, i.e., crop rotation and variety, have eliminated yield gaps in natural farming and conventional farming practices.<sup>46</sup> Conventional agriculture damages the local biodiversity in farmlands while seeking to maximise profits from monocultures in large farm holdings. Through natural farming, small-scale farmers can achieve greater gains by

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<sup>41</sup> Jimmy Leivon 'Manipur govt diverting urea to poppy cultivation areas: Jairam Ramesh' (31 August 2021)

*The Indian Express*

<<https://indianexpress.com/article/north-east-india/manipur/manipur-govt-diverting-urea-to-poppy-cultivation-areas-jairam-ramesh-7480976/>>

<sup>42</sup> 'Fertilizer Shortage: Manipur farmers stage sit-in protest' (23 August 2022) *North East Live*

<<https://northeastlivetv.com/topnews/fertilizer-shortage-manipur-farmers-stages-sit-in-protest/>>

<sup>43</sup> Space Applications Centre 'Desertification and Land Degradation Atlas of India' (June 2016) Indian Space Research Organisation, Government of India 34

<[https://www.sac.gov.in/SACSITE/Desertification\\_Atlas\\_2016\\_SAC\\_ISRO.pdf](https://www.sac.gov.in/SACSITE/Desertification_Atlas_2016_SAC_ISRO.pdf)>

<sup>44</sup> Ranjan Bhattacharya et al 'Soil Degradation in India: Challenges and Potential Solutions' (2015) 7(4) *Sustainability Journal* 3528.

<sup>45</sup> Weiwei Lin et al 'The effects of chemical and organic fertilizer usage on rhizosphere soil in tea orchards' (2019) 14(5) *PLoS One* <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6538140/>>

<sup>46</sup> Lauren Ponisio et al 'Diversification practices reduce organic to conventional yield gap' (2015) 282(1799) *Proceedings of the Royal Society B: Biological Sciences*

<[https://www.researchgate.net/publication/271535047\\_Diversification\\_practices\\_reduce\\_organic\\_to\\_conventional\\_yield\\_gap](https://www.researchgate.net/publication/271535047_Diversification_practices_reduce_organic_to_conventional_yield_gap)>

utilising the existing local biodiversity in pest management and pollination, and can rely on crop rotation and diversification for recharging soil nutrition levels.<sup>47</sup> Natural farming practices also have a direct positive impact on climate change concerns, with the use of sustainable natural alternatives adding value to soil and preventing soil degradation or acidification. By seeking to trade agricultural produce locally, natural farming produce can also reduce transportation and storage costs.<sup>48</sup>

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<sup>47</sup> Colin Ray Anderson et al 'Origins, Benefits and the Political Basis of Agroecology' (2021) *Agroecology Now!* Palgrave Macmillan <[https://link.springer.com/chapter/10.1007/978-3-030-61315-0\\_2](https://link.springer.com/chapter/10.1007/978-3-030-61315-0_2)>

<sup>48</sup> Ranjit Kumar et al 'Adoption of Natural Farming and its Effect on Crop Yield and Farmers' Livelihood in India' (2020) ICAR-National Academy of Agricultural Research Management, Hyderabad, India <<https://www.niti.gov.in/sites/default/files/2021-03/NaturalFarmingProjectReport-ICAR-NAARM.pdf>>

## C. Way Forward

### Agriculture:

- It is essential to address the structural issues that have led to the present state of affairs in Indian agriculture. This includes addressing the gender disparities in land ownership, access to credit, and participation in decision-making processes. There is also a need to promote sustainable agriculture practices that are environmentally and socially responsible.
- There is a need for a comprehensive policy framework that recognizes the importance of agriculture in the Indian economy and prioritises the welfare of farmers. This policy framework should include measures such as land reforms that ensure equitable access to land and resources, especially for women, and promote sustainable agriculture practices.
- Access to credit is another important issue that needs to be addressed. The government needs to provide direct loans to farmers through its public sector banking system instead of relying on microfinance institutions or private banks. This will prevent indebtedness and ensure that farmers can sustain their livelihoods.
- The digitization of agriculture also needs to be approached with caution. While it can provide numerous benefits, such as improving market access and increasing efficiency, it should not come at the cost of small farmers' livelihoods. Therefore, it is essential to develop policies and programs that ensure the inclusion of small farmers and women in the digitization process that should be public led.
- Overall, a people-centric approach that prioritises farmers' welfare, especially women farmers, is crucial for addressing the poor state of agriculture in India. This requires the collaboration of various stakeholders, including policymakers, farmers, and civil society organisations.

### Forestry:

- There are positive signs in terms of rights over CFR and community rights being recognised in parts of India. For example, CFR has been recognised in the Gudiyapadar hamlet in the state of Chhattisgarh, which falls within the Kanger Ghati National Park.<sup>49</sup> This recognition of rights under the FRA is a victory for forest-dwelling groups. In this regard, it is necessary for knowledge sharing to assist

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<sup>49</sup> Gargi Verma 'In a first, Chhattisgarh recognises CFR rights of village inside national park' (25 May 2022) *The Indian Express* <<https://indianexpress.com/article/india/in-a-first-chhattisgarh-recognises-cfr-rights-of-village-inside-national-park-7936375/>>



similarly situated forest-dwelling groups whose traditional habitat has been claimed within national parks and forest reserves with securing their legal rights.

- The fight to secure rights under the FRA is tied with the legislation. Accordingly, there is an urgent need to ensure awareness of legal rights, as well as local legal aid cells to assist tribes living in remote forests with their documentation and procedure under the FRA. Secondly, failures in implementation of the FRA must be noted and highlighted for greater public awareness.
- Lastly, the role of Gram Sabhas is crucial in securing the legal rights of forest-dwelling groups. However, there are several areas where the Gram Sabha is not constituted for years, leaving the claimants with no recourse. In order to effectively use the representation provided under the Gram Sabha's constituent members, and its powers under the FRA, it is necessary for forest-dwelling groups to engage with and ensure local village-level implementation of the FRA.

## **Conclusion**

The developments at the global level, such as the failure of the WTO or the UNFCCC to address the interests of the middle income and poor countries, the coming in of exclusive forums like the G20, the IPEF and India's rush to sign a number of FTAs, have important ramifications for the Indian economy. The policy stances have rendered the poor and the marginalised sections of the society dependent on agriculture and forests for their livelihood more vulnerable to the external shocks such as the increasing intensity of climate change, and increasing onslaught of the corporate profiteering. The two-day discussions on the Perspectives on the Crisis and Policy Alternatives in Agriculture, Land and Forests, concluded that the situation at hand requires addressing the structural issues in agriculture and forestry. It was emphasised that there is a need to promote sustainable practices with due emphasis on equity concerns. This includes addressing the issues of gender disparities in land ownership, access to credit, and participation in decision-making processes. It was highlighted that there is a need for a comprehensive policy framework that recognises the importance of sustainable agriculture and forestry in the Indian economy and follows a people-centric approach that prioritises the welfare of farmers and forest-dwelling people. The policies need to be embedded in a rights-based framework with decentralisation

## Annexure: Agenda

Conference on Agriculture, Land & Forests: Perspectives on the crisis and policy alternatives  
February 18-19, 2023 | 930am - 5pm  
India International Centre, New Delhi

DAY 1: February 18, 2023 (Saturday)		
TIME	AGENDA	SPEAKER/FACILITATOR
0930	Registration	
0945-1000	Welcome remarks and introduction to the conference	<i>Benny Kuruvilla</i>
<b>PLENARY PANEL 1: <i>Setting the International Context: Global polycrisis and response of multilateral institutions</i></b>		
10.00-11.30	<ul style="list-style-type: none"> <li>• Post pandemic global challenges, the response of multilateral institutions and governments to the food and economic crises and the expansion of multistakeholderism and what it means for global governance</li> <li>• Challenges of emerging new trade architecture -IPEF and implications of India's G20 Presidency</li> <li>• The climate crisis, assessment of the COP process so far and what lies ahead in terms of extreme weather and impacts on agriculture and forests</li> <li>• On the rise of big tech, data capture and what it means for sectors such as agriculture, land and forests</li> </ul> <p>Moderator:</p>	<p><i>Jayati Ghosh</i></p> <p><i>Abhijit Das</i></p> <p><i>D Raghunandan</i></p> <p><i>Anita Gurumurthy</i></p> <p><i>Shalmali Guttal</i></p>
1130-1145	Tea Break	

1145-1300	<b>Plenary Contd</b>  Perspectives from Social Movements and Civil Society Networks	<i>All India Peoples Science Network (AIPSN)</i>  <i>Right to Food Campaign</i>  <i>Bhumi Adhikar Andolan</i>
1300-1400	Lunch	
<b>PLENARY PANEL 2: <i>Setting the national context: Policy responses to the crisis</i></b>		
1400-1530	<ul style="list-style-type: none"> <li>• Deepening agrarian and food crisis and neoliberal responses from GOI that are further aggravating the situation</li> <li>• Current developments at the WTO/ FTAs and impacts on Agriculture, Land and Forest sectors in India</li> <li>• Challenges facing India's forests and forest communities, undermining of the FRA, rise of PPPs and challenges of nature-based solutions</li> <li>• Crisis in farming and livestock and government policies - climate change challenges and implications for Schedule V/PESA.</li> </ul> <p>Moderator:</p>	<i>Dipa Sinha</i>  <i>Ranja Sengupta</i>  <i>CR Bijoy</i>  <i>Sagari Ramdas</i>  <i>Meena Menon</i>
1530-1545	Tea Break	
1545-1700	<b>Plenary Contd</b>  Perspectives from Social Movements and Civil Society Networks	<i>AIKS</i>  <i>AIUFWP</i>  <i>MAKAAM</i>
<b>DAY 2: February 19, 2023 (Sunday)</b>		
<b>PARALLEL SESSION 01: AGRICULTURE</b>		

0930-1300	<p>Discussion questions:</p> <ul style="list-style-type: none"> <li>● <i>Recap of plenaries and open up on reflection comments/responses</i></li> <li>● <i>What are the most crucial issues/challenges in your sectors/constituencies?</i></li> <li>● <i>Where are the gaps in action, organising, building public support, etc.to respond to these issues/challenges?</i></li> <li>● <i>What are the policy proposals from your movements?</i></li> <li>● <i>How can other movements and organisations support your struggles?</i></li> </ul>	<p>Inputs from:</p> <p>AIKS AIPSN Food Sovereignty Alliance Right to Food Campaign Jan Sarokar ASHA MAKAAM JAISS AIKS Assam ITforChange TWN Forum for Trade Justice La Via Campesina/ South Asia Nation for Farmers Working People’s Coalition</p>
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**PARALLEL SESSION 02: LAND AND FORESTS**

0930-1300	<p>Discussion questions:</p> <ul style="list-style-type: none"> <li>● <i>Recap of plenaries and open up on reflection comments/responses</i></li> <li>● <i>What are the most crucial issues/challenges in your sectors/constituencies?</i></li> <li>● <i>Where are the gaps in action, organising, building public support, etc.to respond to these issues/challenges?</i></li> <li>● <i>What are the policy proposals from your movements?</i></li> <li>● <i>How can other movements and organisations support your struggles?</i></li> </ul>	<p>Inputs from:</p> <p>AIUFWP Campaign for Survival and Dignity (CSD) Global Forest Coalition Environment Support Group AIPSN Bhumi Adhikar Andolan SHRUTI Kalpavriish/ Vikalp Sangam Nadi Ghati Morcha AIFFM</p>
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1130-1145	Tea break	
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1300-1400	Lunch Break	
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**PLENARY PANEL 3: Roundtable on key international/ national challenges and the way forward for alternative policies**

1400 -1700	<ul style="list-style-type: none"> <li>● Report back from workshops</li> <li>● Way forward</li> </ul>	Responses from various movements and civil society platforms
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### **Organisations**

The conference was organised by Focus on the Global South in collaboration with the All India People's Science Network (AIPSN), All India Union of Forest Working People (AIUFWP), Food Sovereignty Alliance (FSA)