

Tribal Governance and Revisiting the Role of the Indian Forest Service

In the federal polity, the state governments are sovereign in their respective domains and have been provided with their own State services as a steel frame for their governance. Although, to provide a pan India character to the public services, our Constitution makers had adopted the “All India Services” (which was common to both the Union and state governments) to integrate the different states into Indian union and standardize administration across the Indian territory. Known as the Father of the “All India Services” Sardar Vallabh Bhai Patel had expressed the importance and need of All-India Services by stating that “you will not have a united India, if you do not have a good all-India service which has the independence to speak out its mind” (Harini Srinivasan, 2018). Given the Quasi-federal character of the federation, All India Services have proved to be a steel frame of smooth continuity between the State administration and Central administration. Likewise, in the administration of Forests surrounding the Tribal belts of the country, the role played by Indian Forest Services has considerably evolved and has remained extremely crucial. Yet, this article will try to explore the possibilities of bottom-up mobility in the Indian Forest Services and the need for making it more representative, by also inducting experts from the field to meet technical, specific and specialized needs of their area of administration.

Historical Background of the services

During British India, the Indian Forest Services as we know it today had been introduced in a very different *avatar* as Imperial Forest Services to fulfil primary motive of the colonial exploitation of the Indian forests. While Imperial Forest



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services had been constituted in 1867 (Indian Forest Service, 2022), it was at once discontinued with the transfer of “Forestry” to “Provincial list” of the colonial times under the Government of India Act, 1935 (Government of India Act 1935, 2021). It was only in 1966 that Indian Forest Service was constituted as one of the three All India Services formed under All India Service Act 1951 in independent India. The main motivation behind the constitution of the service was to implement the National Forest Policy, to contribute to scientific management of the forests and to regulate the exploitation of the forest timber on a sustained basis. The National Forest policy did not prioritise the rights of the tribals over the project of national development for several decades. Indian forest officials were merely expected to fulfil the policy demands made at the national level. The officers at the Indian Forest Services are selected through a rigorous process of selection through an All India Exam and undergo rigorous two-years of training at the academy, they are then allotted respective joint cadres and state cadres. While their merit can not be questioned but since the colonial period, they have remained the outsiders or someone comparable to the resentful “Dikus ” (The word Dikus means outsiders. Dikus were the people who made the tribal people depend on them.) entering the administrations of the tribal areas.

Importance of Indian Forest Service in Tribal and Forest Governance

The main goal and objective of IFS, like that of the other All India Services is to maintain a uniform standard of administration and professionalism. They are required to have an overarching national umbrella perspective even while they are working under the state government. They are required to properly administer the Union legislations like the Indian Forest Act of 1927, Forest Conservation Act 1980, the ground-breaking Wildlife (Protection) Act 1972, and the revolutionary Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. The main objective of the service has remained the proper enforcement of the National Forest Policy to ensure environmental stability and maintenance of ecological balance including atmospheric equilibrium which are vital for sustenance of all life forms (human, animal, and plant).

As the IFS officers during the field posting in the state government, they have the mandate to protect the forests, wildlife, and also the tribal rights without undue pressure (sometimes undue pressure even from the state governments). As to discharge their duties impartially and work without any pressure, Indian Constitution has provided certain protection and security to the IFS officers against the pressures from the state government. This ensures that the plans and efforts under the National Forest Policy are not disrupted by the ambitions of the state government (Ranjan, 2021).

To ensure the security for the services, Sardar Patel insisted on incorporating several provisions for the All India Services in the Constitution. Before the Cabinet meeting of 27 April 1948, Patel wrote to Nehru “Constitutional guarantees and safeguards are the best medium of protection for the services and are likely to prove more lasting. It would be a grave mistake to leave these matters to be regulated by Central or Provincial legislature” (Tiwari, 2021) as the chances of interference with the services will seriously affect their efficiency on account of the interaction of Central and provincial politics.

Several safeguards provided to All India Servants under the Constitution are as follows:

1. Article 311 of the Indian Constitution protects the All-India Servants against any arbitrary removal from the services, on whimsical grounds. Removal from the services can only be made by the appointed authorities after conduction of an independent enquiry done in consultation with the Union Public Service Commission (the body which is in the first place responsible for their appointment) under the Article 320(c) of the Constitution.
2. Only power with regard to immediate disciplinary action that can be taken by the state government is that they can temporarily suspend the civil servant. Although the final decision on disciplinary action can only be taken by the Union government after the consultation with the Union Public Service Commission (under Article 320(c) of the Constitution as mentioned above).

IFS officers are largely independent and exercise administrative, judicial and financial powers without any external pressure.

These provisions became extremely necessary because during the execution of the Union legislations like the Indian Forest Conservation Act 1980, the concerned IFS officers had to protect the forest land from the land diversion when the state government or other authorities wanted the land for the commercial activities. Due to certain constitutional protection and core accountability towards the Union government, IFS officers could act according to the law of the land.

In one of the important Supreme Court judgements (T.N. Godavarman vs Union of India 2005), Hon’ble Supreme Court supported the IFS officer’s decision and directed the state government to take consent from the Union government



before diversion of the land for non-forest activities (T.N. GODAVARMAN THIRUMULPAD VS UNION OF INDIA AND ORS. & ORS. CASE, 2005). Another such example came from Haryana where a 2002 batch IFS officer Sanjiv Chaturvedi, exposed the illegal construction inside the wildlife sanctuary in Kurukshetra and stopped the construction in rightful pursuance of the national law, against the wishes of the state government (Press Trust of India, 2018). Later he was protected by Hon'ble Supreme Court and President of India owing to the protection provided to All India Services, ultimately the forest land was protected. The Indian Forest Service acts like the steel frame of Indian administration even in the forest land and tribal belts and plays a decisive role in the tribal governance.

Could the centralizing feature of the Indian Forest Service, alienate the Tribes in question?

The most privileged and key positions in the state forest departments are that of the Principal Chief Conservator of Forest (PCCF), the Conservator of Forests, followed by Divisional Forest Officers (DFO), etc.

The Indian Forest Service by the virtue of its presence in major forest areas, happens to be the smallest out of all the All-India services. The small number of the force must not undermine its importance. The forest services are responsible for dealing with the most hostile zones where men and nature clash. They are also responsible for governing the zones where the naxals and maoists have been waging insurgencies against the state since decades. It is not an easy job and requires the skills and experience of a learned person from the grassroots.

According to the government data procured from the website of Indian Forest Services, the total authorised cadre strength of the Indian Forest Services till date is around 3157. It includes 2200 Direct Recruitments and around 957 Promotion posts. The total Senior Duty Posts (SDP) in the Indian Forest Service are 1921 and the remaining under various reserves.

Indian Forest Service

Senior Duty Posts		1939	
Central Deputation Reserve @20%	378		
State Deputation Reserve @25%	474		
Training Reserve @3.5%	59		
Leave and Junior reserve @16.5%	307		
Total Reserve posts		1218	
Total Cadre Strength			3157
Direct recruitment posts	2200		
Promotion posts	957		
Total authorised strength		3157	

Source- <http://ifs.nic.in/welcomefull.aspx>

Out of the total strength of the cadre of the services about 66.33 per cent is filled by Direct Recruitment which is done through an All India competitive exam conducted by the Union Public Service Commission (UPSC) which is open to all graduates with science background. This ensures that the expertise of the forest administration can be imparted to the selected generalists who join the services.

Whereas, on the other hand it is only 33.33 per cent of the cadre strength of the service that is filled by appointing eligible officers of the State Forest Service to Indian Forest Services, as per the regulation. There is a promotion quota assigned to fill the vacancies to the senior duty posts in addition to the cadre filled through Central Deputation Reserve posts, State deputation reserve posts and training reserves. (Ministry of Environment, Forest and Climate Change, 2021). All in all, most of the appointments are a bottom-up appointments, with limited chance provided for in-service promotions.

The structure of the service makes it clear that the decisive positions are concentrated top up on the ladder. The cadre-based promotions in the state services provide limited opportunity for bottom-up mobility in the services. Deputation has been restricted to only state level officers. Specially, the frontline workers who are locals and are rooted in the realities of the forest and local land never, make it to even the middle level decision-making let alone the top ranks. Even though the All-India character is extremely necessary for the autonomy and efficiency of the services, it may make the services less representative. This factor is extremely crucial in case of governing Forest land in the tribal



forest belts. Governance in these regions may demand sensitivity and understanding of the senior officers towards the tribal way of life.

In 2019, the Ministry of Personnel, Public Grievances and Pensions had initiated an inter-ministerial consultation note to rename Indian Forest Service as Indian Forest and Tribal Services (Sharma, 2019). The main motivation behind this move was to make the services more tribal centric. The consultation notes also proposed that the cadre of Indian Forest Services be trained to become more receptive and understanding of the lives of tribes and forest dwellers and their indigenous governance mechanisms. This move was also taken to fine tune the forest service's bureaucracy to meet the requirements of the recent legislations that emphasise on boosting grassroots democracy and tribal rights in these areas governed under as Panchayat (Extension to Scheduled Areas) Act, 1996 or PESA and Forest Rights Act (FRA), 2006 respectively.

The recommendation was made by National Commission for Scheduled Tribes to the Ministry which highlighted the close ties between tribals, the forest and forest ecosystem. Hence emphasis was laid on bringing together forest and tribal welfare administrations to facilitate the participation of 'tribals' in forest management. It is not just renaming but greater structural change that needs to be introduced in the services to make it more accountable to the needs of common tribes and forest ecosystem (Bahuguna, 2022).

Recommendations to make IFS more inclusive and representative

With the change of the nomenclature, a marked shift must also be brought in the

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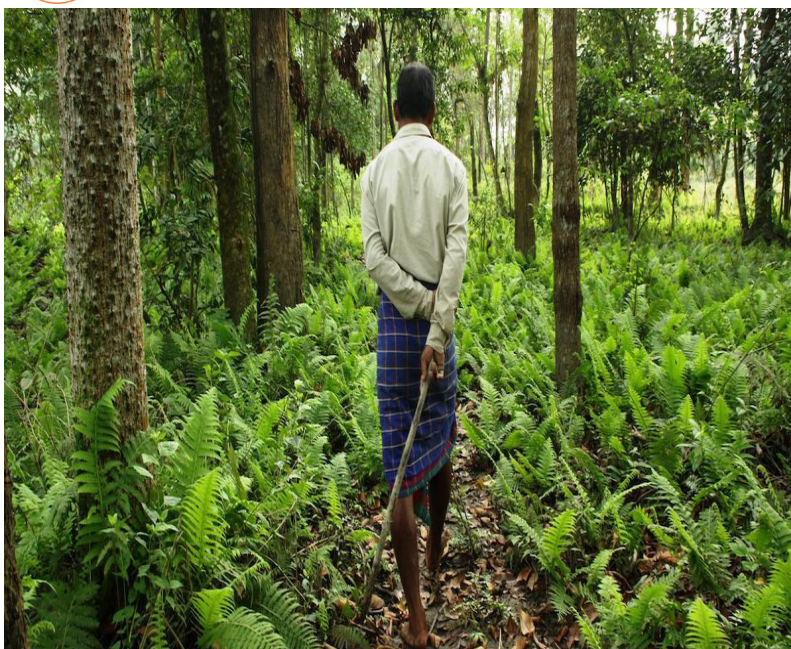
All India Services have played a significant role in the Indian Federalism and promoted the national perceptive in tribal governance.

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training and the process of promotions within the Elite services. There should be a mandatory provision for in Service trainings (many in the time span of entire service) to sensitise the officers to the needs of the tribes and to keep them in touch with the grassroots realities. Though an IFS officer begins his/her career as SDO and range -in -charge, they must be made to work as side by side the frontline guards in the grassroots every time they get transferred to a new range. This will keep them in sync with the diverse needs of different tribal belts at the most local level.

The frontline guards must also be provided incentives and possibility of upward mobility through in-service technical education and training to cater to the demands of the forest and tribal administration more efficiently. Let these technical trainings and skill enhancement and in-service development programmes be distributed to the front-line workers based on their service performance. This mode of promotion is very similar to performance-based upward mobility model of administration practiced by the corporates and derives heavily from PM's vision of Mission Karmyogi .



If found to be suitable and properly trained, the front-line guards must be provided due promotions in the services to take over some decisive positions as well. Most of these guards which hail from the local regions and sometimes even the tribal community will instil a sense of representation in the community. They will also bring with themselves the most localised traditional knowledge of these areas which could be an asset in decision-making on tribal matters. The recommendation may be extremely challenging to implement but if an effort is put in the direction, it may change the face of tribal administration.

The Forest service officials must work in tandem with the district administration of the respective tribal belts with the democratic consent and negotiations with the local tribal community so that the developmental projects and tribal welfare can go hand-in-hand. Induction of the tribals in self-governance with the enabling efforts of the forest and district administration may work wonders to solve the problems of remoteness of the tribal areas and feeling of alienation and resentment against the state administration among the tribals. The need of the hour is to introduce a developmental yet representative bureaucracy to manage the forest and tribal affairs for sustainable and inclusive development.

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