

Unlawful grabbing of forest lands by Baba Ramdev

A common man or a tribal cannot acquire even a small plot for his dwelling either in the forest-lands or village common land. The authorities restrict in the name of various acts and rules that disallow acquiring even through a purchase of land from its owner. But when it comes to the mighty and powerful, with their clout with the powers that be, they are easily allowed to acquire even forested hilly common lands of the villages. To facilitate such unlawful acquisition of village common and forested lands the rules will be bent in favour of the powerful even by defeating the orders of the very Supreme Court itself.

The Patanjali group of companies found by the ‘Yoga guru’ Baba Ramdev, with some of its closely associated land dealers had unlawfully acquired more than 400 acres of forested common lands in the Aravilli hills of Faridabad, Haryana. These common lands belong to kot village. By circumventing restrictions put in place on sale of such common village lands, by making 300 power-of-attorney agreements during 2014-16 the common lands are ‘purchased’ by Patanjali group of companies. Such agreements for purchase are banned in Delhi.

Kot is a semi-urban village amid the Aravilli hills, just off the state high-way connecting Gurugram and Faridabad. About 80 percent of the village land falls in the hilly terrain classified as ‘Gair Mumkin Pahad’ or hills where cultivation and development are not permitted in Haryana. These hilly tracts are classified as ‘Shahmat’ land or commons held collectively by villagers. A state law, as well as a 2011 Supreme Court judgement had said such land should be vested only with the panchayat. Purchase, registration and mutation of land records to reflect the sale was not permitted without the approval of panchayat and state officials.

Kot village panchayat had not given permission for the sale of its common land. In 2011 advised by the state the panchayat had even filed a case to recover all its shahmat land back from those who had purchased it illegally and took in to possession.

By setting up various companies in the name of starting yoga and health care centres and developing herbal and organic farming the Patanjali group has illegally acquired those lands, and took them in to possession.

With his clout with the central government and Haryana state government Baba Ramdev is able to make the Haryana state government to pass an amendment to the Punjab Land Preservation Act 1900, which meant to protect forested areas not formally recognised as such, which includes 800 acres of forested hilly terrain in Kot village. The amendment made on Feb 27, sought to do away with the protection accorded to Aravalli forests. With such an amendment the Haryana government kick-started a legal process in kot village, calling it “consolidation of land holdings” which will affirm the Patanjali group’s ownership of the land, replaces its plots dispersed across the village with contiguous land parcels and allows it to carryout both development activity and agriculture which are currently banned in the hilly commons.

For the past 7 years Haryana government has tried for such consolidation thrice. But the then directors of consolidation have objected and stopped consolidation. In 2012 the then director general of consolidation stopped the consolidation and written to the government “ ...In case the consolidation of exercise of entire Kot village, including ‘gair mumkin pahad’ is carried out, it would wrongly benefit certain influential outsider purchases of ‘gair mumkin pahad’. “The consolidation law meant to reverse fragmentation of agricultural holdings and to preserve the village commons was rampantly abused to allow private players to get possession of hilly and non-agri common land including forests comprising villages of Mangar, Bandhwai, Pozka-Gujar

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and Kot.” “Huge investments of ill-gotten money have been made through firms for purchase of land to benefit from the scheme”.

But undermining the just and valid objections, Haryana government passed consolidation orders for Kot village and the present director general of consolidation justifies the consolidation orders which contradicts a 2011 SC judgement.

One Pravin Kumar Sharma who has been buying land in Kot village along with others for Patanjali group justifies the consolidation of Kot commons stating that “consolidation in shahmat land will help villagers. Land shall be demarcated for roads and access village. Right now they do not even have access to their crematorium and pasture land”.

The former director general of consolidation who objected and stopped consolidation in 2012, the present principal secretary of the state, Khemka, commented on these consolidation orders that “this consolidation shall confirm land owner-ship of private players like the Patanjali group over our commons through government fiat...why should the state consolidate land at a time when we are trying to preserve and restore the ownership of Shahmat land, including the forested Aravalli to panchayat?” This statement speaks volumes about the nexus between the rulers, governments and the influenced powerful that facilitates illegal land acquisitions by the rich, influential and powerful.

This is a clear-cut instance that exposes the class-nature of our system that furthers the interests of the rich and powerful of the ruling-class and by implementing anti-people policies. This instance also high-lights the importance of land question and exposes the exploitative nature of our semi-feudal system; and warns about the immediate necessity to root-out this abhorrent system!
