

## **FOREST RIGHTS ACT IN CHHATTISGARH AND GUJARAT: UNFOLDING THE DYNAMICS IN IMPLEMENTATION**

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### **ABSTRACT**

*This paper, based on field observations in Chhattisgarh and Gujarat, attempts to critically examine the implementation process of the Forest Rights Act, especially focusing on the democratic aspects of decision-making and the transparency issues of the Act at the ground level under different situations. Further, it attempts to understand the awareness levels of the beneficiary community, i.e., the forest-dependent people, while recording their concerns about their claims. The findings from a sample of 540 households spread across 18 Gram Panchayats in the two States reveal that the realisation of the objective of the Act to provide justice to the most underprivileged section in the society is far from complete. The reasons for this are multiple: while the abysmal level of awareness on the part of the tribals on all counts is one basic shortcoming, discrepancies in the attitude of the local forest department and the indifferent attitude of the local sarpanches were other contributors.*

### **Context**

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, popularly known as the Forests Rights Act (FRA), was enacted in 2007 through the Ministry of Tribal Affairs in order to correct the 'historic injustice done to forest-dwelling communities'. The Act

(interchangeably used for FRA henceforth in the paper) gives individual property rights to the tribals and other forest dwellers over the forest lands under their occupation for cultivation and dwelling. Besides, it provides for total ownership rights over Non-Timber Forest Produce (NTFP) / Minor Forest Produce (MFP), alongside community rights. The significance of this Act is that all these

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rights are also applicable to the protected areas (sanctuaries and national parks) (The Gazette of India Extraordinary, 2007 and 2008).

The enactment of the FRA was not an easy process. Conservationists and environmentalists raised serious apprehensions and argued that this Act would be a welfare measure under which rights would be magnanimously granted to the tribals (Bhullar, 2008). However, scholars such as Springate et al. (2009), and Bhatia (2005) as well as many well known and unsung pro-tribal activists and organisations succeeded in drawing the attention of FRA critics to the 'historical injustice' meted out to the tribals over the years. They triumphed further in their argument over the need for understanding the Act in a broader context, i.e., as the restoration of the pre-existing rights rather than as the State largesse.

Following the FRA, the respective States made suitable provisions in accordance with the rules of the Act to monitor and implement the Act; the implementing agency is the Department of Tribal Affairs, Government of India. At the State level, this responsibility is vested with the Scheduled Caste and Scheduled Tribe Development Department. In some States, there are other agencies responsible for carrying out this activity. For example, in Andhra Pradesh, it is the Tribal Development Department (TDD) (Sathyapalan and Reddy, 2010) and in West Bengal, it is the Backward Classes Welfare Department (GoWB, 2014). Nevertheless, implementation of this Act on the ground has been not too encouraging as some of the empirical studies in various States suggest (CSD, 2010; Gol, 2010; Kothari and Meena, 2010; Sathyapalan, 2010; Kothari, 2011; Reddy et al., 2011).

Given the background, this paper attempts to critically examine the implementation process especially focusing on the democratic aspects of decision-making and the transparency issues of the FRA at the ground level under different situations. Further, it attempts to understand the reasons that are holding back beneficiary community participation to its full potential while gauging its awareness level regarding FRA.

### Setting

This study was conducted in the States of Chhattisgarh and Gujarat. The natural differences in terms of forest cover, population, and human contributed factors, viz., economic infrastructure, governance, etc., are the rationale behind studying these two States to assess how the two States that are so contrasting in many ways are dealing with a sensitive Act such as the FRA.

A look at the proportion of forest cover 'corresponding to the geographical area of the respective States shows that Chhattisgarh is way ahead, accounting for a whopping 41.18 per cent, while Gujarat accounts for only about 7.45 per cent (FSI, 2011). The tribal population in Chhattisgarh constitutes 30.6 per cent of the total population, while in Gujarat, it accounts for 14.8 per cent (Census of India, 2011). Tribal communities in both Chhattisgarh and Gujarat are poor besides being mainly landless. They are basically into small-scale farming, pastoralism, and nomadic herding. The tribals, especially in Chhattisgarh, live mostly in the forest villages (Kumar, 2009) set up by the Forest Department (FD), some being as old as 80-90 years. Chhattisgarh has 425 such villages, while Gujarat has only 199 (Gol, 2012).

## Method

The sample for the study comprised 18 Gram Panchayats (GPs) (nine in each State) representing their respective talukas in the States of Chhattisgarh and Gujarat, where at least 30 claims had been made under a given GP. The talukas were spread across the three geographical regions in their respective States, viz., North Chhattisgarh, Central Chhattisgarh, South Chhattisgarh, North Gujarat, East Gujarat, and South Gujarat. The overall composition of the sample represented 45 villages or hamlets. Quantitative and qualitative information under multiple circumstances in the field was obtained through 'Focus Group Discussions' (FGDs) and Household (HH) surveys (with the help of structured schedules).

The field work across the two States was carried out between October 2012 and March 2013. For an empirical enquiry, a total of 18 GP-level FGD schedules were moderated in each village with the respondents representing the Forest Rights Committee (FRC)<sup>2</sup> members including its secretary/ president alongside the stakeholders such as the applicants and the sarpanch of the panchayats of the respective GP (in some instances, there were FRC secretaries for individual hamlets). In addition, about 540 members (30 forest right claimant HHs in each GP) were also individually interviewed at the HH level. Factors such as wealth, ethnic and caste composition of the social groups were covered proportionately. Besides, FD officials and tribal department officials from taluka level ranks to divisional/district levels were also approached for interviews to learn about the status of FRA implementation within their jurisdiction. However, on many

occasions, researcher's efforts proved futile as a majority of the forest officials refused to be interviewed. Even those who allowed themselves to be interviewed for a brief time did not express anything on record. Nevertheless, a couple of high-ranking officers such as District Collectors were open to explaining the FRA implementation process and discussing the plight of the FDP within their jurisdiction. On the other hand, a large number of Non-Government Organisation (NGO) members working in various capacities in the proximity of the study villages were also interviewed for a broader understanding of the FRA implementation.

The findings of the study are broadly analysed in two sections in this paper. While the first one looks into the awareness level of the respondents regarding FRA and the process of the constitution of the FRCs in the sample, the second section tries to understand the implementation of the Act and the factors influencing it on ground. In addition, it takes stock of the role of NGOs and officials in the jurisdiction of the Act being implemented. The following narration and analysis is a result of a triangulation of information drawn from all the above mentioned sources.

### **Awareness Regarding FRA and the Constitution of FRCs in the Study Villages**

The tribal department, the FD, GP, NGOs, and in some places, the people in the study GP villages (the terms GP and GP villages are interchangeably used in the text hereafter) learnt about the FRA through newspapers. Majority of the respondents acknowledged that the panchayat secretary informed the villagers about the FRA. It is interesting to note that in five of the nine GPs

studied in Chhattisgarh, the district magistrate directed the panchayat officials to form FRCs; this was eventually carried out by the panchayat secretary, often attended by the GP members along with the local FD staff who graced the occasion sometimes. Similarly, in Gujarat, six GPs were asked to form FRCs by their local FD; while in two GPs, the secretary initiated the process, and the concerned magistrate ordered the panchayat secretary to fulfill the requirement in one GP. Thus, in general, awareness regarding FRA among the study villages has been very poor, and relatively much poorer in Chhattisgarh than in Gujarat. The reasons for this are discussed later.

When questioned about the allegations of the Joint Forest Management (JFM) committees being converted into FRCs, the people in the GP villages (four in Chhattisgarh and five in Gujarat) acknowledged the fact that some of its members belong to the JFM committee. However, nowhere in the study, have the JFM members been inducted en masse as members of the FRC. On asking why they had to include JFM members in this committee, a majority of the respondents across the studied GPs held the view that JFM committee members are fairly knowledgeable regarding forests and that they know the boundaries of their village forests as well as the nitty-gritty involved in handling the FD officials. At the same time, most of the respondents are also of the view that JFM is no longer functional in their villages, so the role of former JFM members has no implication on FRA implementation.

The constitution of the FRCs is an important step in the implementation of the FRA simply because it is the body that looks

into the claims of the people having lands in the forest areas, and also decides on the authenticity of such claims after consulting the elders of the Gram Sabha (GS) in the village. Among the 18 studied GPs, it has been found that 50 per cent have constituted their FRCs at the panchayat level though it should have been formed at each hamlet. A couple of GP villages, despite having other hamlets under their jurisdiction, have had just one FRC at the GP level to date. On enquiring the forest and tribal department officials, it was found that each hamlet has a duly constituted separate FRC.

Further, it needs to be mentioned here that FRCs were constituted at only panchayat level in seven out of the nine GPs in Chhattisgarh, while in Gujarat it was better with all the villages or hamlets within the seven GPs having constituted their FRCs separately at their own level. In South Chhattisgarh, constituting FRCs at individual villages or hamlets was more important than any place or region in the sample of the study because the GPs in these forest areas are in clusters having more than three villages under their jurisdiction; besides, these GPs are spread across an average radius of 5 to 7 km from one hamlet to the other. This, in other words, means that many people are still unaware of this Act despite it being in implementation since 2008.

When further probed about the percentage of attendance at each GS when the FRC was formed, exactly half the number of GPs acknowledged that it was more than 50 per cent; among these, only three GPs could attract attendance between 75-100 per cent, while four GPs in Chhattisgarh constituted their FRCs with less than 25 per cent attendance in the GS called for this purpose.

It is further observed that in six GP villages of Chhattisgarh, at least some level of awareness has been created by the local NGOs. Incidentally, all these GPs belong to north and central Chhattisgarh, the reason being the presence of NGO headquarters near the capital city of the State. In South Chhattisgarh, many NGOs, particularly those not belonging to these areas were not ready to work in conflict-prone areas. Further, not all local NGO's are specialised in forest or forest-related concerns. On the other hand, according to people in the study-related GP villages in Gujarat, NGOs have a greater presence in the south and east Gujarat regions, while only three GPs – one each in Valsad, Dangs and Rajpipla – are found to be receiving the services of the local NGOs. The people have a good opinion about the two NGOs in Dangs and Rajpipla districts, respectively while in Valsad, they accused the local staff of a particular NGO of collecting money from the poor claimants on the pretext of speeding up their land claim cases under the FRA.

It is interesting to note that only a couple of respondents in each of the study-related GP villages in both the States are aware of the organic structure of the FRA implementation. Only these respondents are aware of the existence of committees such as the sub-divisional committee, district-level committee, and the state-level monitoring committee and their role and functions.

#### **Implementation of FRA and Related Issues in the Study Villages**

As per the FRA, only the presence of the FRC secretary is mandatory with regard to examining the claims made by the people over the lands in the forest areas; the

presence of the panchayat secretary or FD officials is not necessary. According to the respondents, in only half of the studied GPs the respective FRC secretaries had examined the people's claims; and all these GPs are located in Gujarat, which indicates that none of the FRC secretaries in the Chhattisgarh GPs had a free hand in examining the claims of the people because the claimants' papers were collected by the panchayat secretary independently (in three GPs) or allegedly under the influence of FD officials (in six GPs). On seeking clarification from the officials of the connected departments working under their jurisdiction regarding poor participation of the possible beneficiaries at this very important stage of making application, they observed that in the beginning, naxalites discouraged the people from indulging in this activity, citing the grounds that either the government had deputed the authorities to learn about the exact extent of encroached lands with the people for taking them back or because they simply did not believe that the government would legalise their lands so easily. Apprehensions of this kind were also a reason for not conducting GPs in every hamlet for constituting the FRCs.

In view of their poor educational background as well as lack of awareness, the studied HHs are expected to face problems in claiming their lands from the concerned officials because of processing (document-related) hassles. This does not appear to be the case, going by the majority responses—there was not much difference observed across the States and regions in this respect. In fact, Gujarat is almost free from such issues; what is important to know is whether anybody at any stage had prevented them from claiming their lands, or created hurdles

in doing so. On the other hand, in Chhattisgarh (in the southern region) 11 per cent of the respondents reported that they suspected their sarpanch for deliberately not informing them regarding this Act for political reasons as they had not supported him during the GP elections (see Box 1 for details). Furthermore, a majority of the HHs studied (64 per cent) have a grouse against the government authorities for not allotting the demanded lands to them despite producing the required documents. This trend is more acute in Gujarat with 72 per cent, whereas in Chhattisgarh it is 57 per cent. In Gujarat, there are several instances where the claims were simply rejected whenever any of their documents did not match with the satellite images. In other words, for verification of claims, the only criterion followed in Gujarat was 'satellite image'. In Chhattisgarh, on the other hand, the dissatisfied respondents said that the officials simply summed-up the 'available land' and distributed more-or-less equally among all the claimants irrespective of how much land they claimed. As a result, the land allotted to them was found to be much smaller than what they had actually claimed. The respondents also reported that they did not consider it for a re-look because they were threatened by the panchayat and FD officials that if they press for re-opening their cases, even the land that they now have would be taken back.

One of the issues concerning human rights relates to the cases booked against the poor tribals for encroaching upon lands in the forest areas. Since a copy of the Forest Offence Report is now considered as one of the valid documents for claiming lands, it has been made clear in the FRA rules that such cases should be declared null and void.

Enquiries in both the States revealed that 91 per cent of them do not have any case of this nature registered against them. About 40 respondents (7 per cent) acknowledged that they did face such charges. Among them, 33 had no knowledge about this clause under FRA, while seven respondents contacted the concerned authorities to have their cases withdrawn; but they too are not sure about the present status of their cases. Respondents in Chhattisgarh appear to have suffered more than those in Gujarat in this regard. Interestingly, the claimants in Jambughoda Taluka in Gujarat are still fighting cases registered against them. In fact, the residents of Gandhara, Poyili and Ranjitpura have become an inspiration for the other villagers to claim their rights on lands in forest areas despite threats of facing criminal charges. Further, it is an issue of concern that these tribals as claimed by them are still being harassed by the local FD for cultivating the lands that have already been recognised as theirs under the FRA.

A critical issue in Chhattisgarh is that many of the HHs studied have been informed by their panchayat sarpanches and secretaries that their names appear in the list of those who have been allotted lands. However, the fact is that nobody knows which part of the allotted land is theirs, and a few of those who tried to locate them with the help of FD staff and revenue officials were unable to identify their lands mainly because of the utter carelessness on the part of the department in combining<sup>3</sup> all the claims and dividing the available land. In addition to this, in both the States, despite announcing and sending official circulars with respect to the allotment in response to the claims made, the ownership 'documents'<sup>4</sup> have not been given immediately to the

claimants; instead they were made to wait until the ministers, Members of Legislative Assemblies, Members of Parliament, or even Chief Ministers made it an event to distribute the documents. Many of the local NGO staff perceived this as a mere political gimmick to claim credit for themselves and their parties, while until such time, the poor FDP had to forego benefits such as seeking loans from banks, where original documents are required for processing their applications.

The commonly presented documents as evidence by the HH members studied for claiming their lands alongside their identity include caste and residential proof were, elders' statements, house tax receipts, forest land violation notices, penalty receipts, survey and layout maps, satellite images, statements from panchayat records, and village development committee statements.

It was observed that about 50 per cent of the total GP villages studied experienced the rejection of their residents' claims under the FRA. This trend was more visible in Gujarat than in Chhattisgarh because two-thirds of the studied GPs in the former State reported a gross rejection of claims. The respondents whose claims were rejected are seemingly not happy in either of the States, particularly those in Gujarat because they maintain that they had submitted more than enough number of evidences to support their claims. Yet, their claims were rejected because they did not match with the 'satellite image'. On the other hand, although not much stress had been laid on technical aspects in Chhattisgarh, claims were rejected in this State on grounds of insufficient evidence. This could be attributed to a poor level of awareness on the part of the claimants regarding the type of documents

that need to be submitted. However, the Gujarat authorities recently promised to re-look into the large-scale rejection of claims just based on 'satellite image', following the filing of a 'Writ Petition (2011)' by the members of the civil society in the High Court of Gujarat. It is to be noted that FRA provides for reconsideration of the clause if large numbers of claims are rejected (according to FRA Rules Notification, September 6, 2012, the rejections based on technological tools are ordered to be re-examined). The officials of the FD and the tribal department as also the local NGOs have acknowledged this development.

From the literature (Bandi, 2014), the much publicised JFM programme became a much talked subject for two reasons as far as FRA implementation is concerned. On the one side, some of the JFM lands are being claimed by the villagers; and on the other side, the FD is being accused of using JFM to retain its lands under the pretext that it already belongs to them for 'community' purpose. In this study, the issue involving JFM has been limited to only three GPs out of 18, of which two are in Chhattisgarh though. No significant implication is reported by the respondents from these GPs.

Regarding reports of forceful evacuation of villagers from the forest lands, the study registered such occurrences only in two GPs – one each in eastern and southern Gujarat. This has been acknowledged by the locals and in fact they feel that the HHs that have been evacuated were trying to encroach upon the forest lands in the recent times (post-2005) with a view to claiming lands under FRA. Interestingly, one of the well-known FRA activists in Dangs observes that such

incidents are generally exaggerated; he even disagrees with a leading magazine that carried a story of forcible evacuation sometime back which according to him is not true. He also points out that, such false reports about illegal encroachments can hamper the interests of the genuine

claimants who have been tilling the forest land for decades because such reports can only provide the officials with ammunition and pretext to voice that majority of the claimants are not genuine and that they are land grabbers.

### Box 1: Malpractices and Sabotages

A few interesting cases have come to light in the GP villages studied. In one instance, the claim of an individual was rejected after approval, when the locals complained to the commissioner that the applicant had not been residing in the village for decades as required under the Act and that his family had long back migrated to a city. When asked how he could even manage to get the approval, the tribals pointed to the corruption being practised at the taluka level.

In another case, an applicant had leased-in a stretch of forest land (2.80 *guntas*<sup>5</sup>) from its original occupant who had encroached upon the land for 60 years. The leaseholder has been cultivating the land for more than a decade. However, after the enforcement of the FRA, both leaser and lease-holder are at loggerheads as to who is the actual owner. The earlier occupant now has no evidence of cultivating the piece of land. On the other hand, the people in the village acknowledge that he was the original owner and that the land was leased-out and also that the leaser has been paying rent to the original occupant. Going by the FRA rules, the person presently tilling the land appears to have more chance of claiming the piece of land in his name since he possesses the land.

In yet another case, the people of the village are opposing a 'ghar jamai's' (son-in-law residing in his in-laws' house) application who has been living with his in-laws for a decade and half, cultivating forest land. He tried to claim the same land in his wife's name but the villagers opposed his move vehemently.

In a majority of the villages studied in both the States, sabotaging of certain members' claims for political reasons was observed. Such cases occurred where the GP sarpanch had a vendetta against those who were suspected of not voting for him or have been known opponents. It was also observed that in some instances *gotra* (common descent) was the basis for identifying the beneficiaries. The mechanism followed was the non-release of application forms to the tribals belonging to other *gotras*. This could be possible only when the panchayat secretary worked hand-in-glove with the sarpanch.

(Source: Field Survey – FGD).



Just a couple of HHs coming under four GPs in the studied States reported that their lands have been taken away by the FD for having tree cover. On further enquiry, these lands were found to be having trees and were indeed under forest lands. However, this is not a case of a clear eviction of people from their places for growing trees on their individual plots. There are no significant variations across regions in either of the States studied; it appears to be a display of enthusiasm on the part of the respondents with respect to their claims. It is a well-known fact that this Act, despite having a provision for community claims, was able to attract only individual claims during the initial years. As awareness grew with time, people are now claiming 'community purpose lands'. When asked about the availability of such lands in their villages, the respondents in 13 of the total 18 GPs studied acknowledged that they have claimable lands in the forest areas for community use. The respondents in Gujarat appear to be making full use of this provision compared to those in Chhattisgarh because as against Gujarat's eight GP villages, only five GP villages in Chhattisgarh identified community lands for claims. In Gujarat, all the eight GP villages submitted applications for claims, whereas, only three GP villages out of 5 made claims on community lands in Chhattisgarh. No significant variation is reported across the regions in either of States.

A sad part of this development was that the community claims were made for internal roads, temples, crematorium grounds, check dams, playgrounds, grazing lands, pasture lands, plain lands for assembling on village occasions, electricity poles, and schools. It is important to note that

these demands for community lands may not have a direct impact on their livelihoods. Except for one village studied in Valsad in South Gujarat, no claims were made on the forest lands through which the villagers could secure their livelihoods. In this village, 'Particularly Vulnerable Tribal Groups' have been given a stretch of land with bamboo plantation. When asked to the rest of the GP residents as to why they could not think of claiming lands in the forest that could serve them financially in the long term, a majority of the HH members observed that their forests are left with no such produce any longer that they could ask for. Whatever little they needed from the forest, they get for their HH consumption. Invariably almost all the HH members studied in both the States are found to have given agriculture and labour work related to it as preferred source of their livelihoods.

Coming to the relationship between the tribals and the FD officials, it is widely acknowledged that it is far from cordial (Gadgil and Guha, 1992; Sinha, 2007; Springate and Blaike, 2007). Yet, majority of the respondents in the sample expressed a good opinion of the FD. This response was observed uniformly across the two States as well as across regions. On FD's known image of being an atrocious department, the respondents in both the States and across the regions in the study observed that with new legislations coming into effect over the years, the attitude of the FD officials improved. Interestingly, in some pockets, as reported by many respondents, it could also be because the forest officials are now not venturing into their villages for months and years together-in Chhattisgarh, particularly in the southern region, this view is more prevalent. According to them, from the year

2000 onwards, visits by FD officials almost stopped. Even the guards do not visit the forests because MFP rights have been granted to the locals following a change effected to the existing law, unlike earlier when there were several restrictions which in a way helped the guards harass the helpless tribals besides taking bribes from them. Another reason according to the local respondents in the villages studied is that there is a strong presence of naxalites here. Their very presence acts as a deterrent and shields the villagers from officials committing offenses against them.

### Conclusion

A look into the awareness level of the respondents in the sample regarding FRA reveals that it is abysmally poor especially in the interior forest areas; these areas happen to be more in Chhattisgarh. This is basically because no government agencies or even NGOs are active there to create awareness. Such poor awareness level is bound to affect the implementation process – and that is exactly what happened with the reports of the sarpanches and panchayat secretaries manipulating the Act by selectively allowing only their supporters to apply for the claims. If this has gone unnoticed by the majority of population in the village, it only means that no GS was convened for forming the FRCs – in other words, information was not disseminated at desired levels. Besides, emphasis on technological tools like ‘satellite imagery’ as evidence (in Gujarat) severely hampered the implementation of the FRA. It is an altogether different matter now that the government has issued an order to re-look into the issue following a writ petition filed by the civil society on behalf of the FDP in view of the gross rejection of claims.

Another important component of the FRA is ‘community claim’; from the study, it could be observed that the communities in the study are in dire need of understanding the importance of community claims on forest land for they are as important as individual claims for their livelihood needs. Unexpectedly, it got diluted due to over-emphasis on individual claims by all quarters. Although the image of the FD officials appears to have improved of late, the sad part is that they are not visiting the forest areas as often as they used to in the past to stop any illegal activities taking place in the forest areas to justify their existence. The stories of high-handedness by the FD officials in terms of evicting people from their lands have become more of an exaggeration than fact as far as this study is concerned. However, there is an immediate need to inform the affected FDP that all forest offences booked against them for cultivating the lands for which they are now eligible to claim under FRA stands nullified, hence no reason for them to fear any count.

Finally, given the ineffective role of the GS in the formation of the assertive FRCs, the question that arises is what is the difference that the latest powers through September 6, 2012 Rules<sup>6</sup> entrusted to the GS can affect when it comes to protecting the interests of the FDP, when the people do not even know how to exercise their basic democratic rights as is evident from the study wherein even after years of this Act being in implementation, sections of tribals in their villages were not aware that they have been kept in the dark about this Act by their own people in order to deny their rights. On exploring the causal factor of such depressing condition, it appears, acquiring knowledge for the majority of the FDP about

what is happening around them in the world is simply unimaginable given their poor or no education background. Besides, their location being too interior, easy inflow of information is also not possible. This handicap on their part gives free hand for the officials or those in power at local level to exploit them to maximum extent. Hence, to address such gaps, continuous intervention from outside in the form of awareness creation is required on a war footing. The study presented evidence to this assumption because in villages where the awareness level is better or where the NGOs are very active (example: In large parts of Dangs), the tribals have been able to claim justice for themselves through this Act despite going through known hurdles that their brethren elsewhere in the country encountered in their day-to-day lives. Expecting a lot from the NGOs too would be unfair to them especially where the ground conditions are not safe for their staff to operate in. Hence setting up of a new government department or a cell is strongly recommended at

Panchayat level to integrate and converge all rural development schemes and programmes including socio-economic welfare Acts like FRA to weed out any possible ambiguities and manipulations for a meaningful implementation. For awareness creation, all-round efforts in the form of using every possible medium viz. television, radio and print materials viz. newspapers, pamphlets and hoardings at strategic places especially in the local languages need to be employed. Incorporating the subjects like environment and FRA besides the local history in the syllabus at school levels in the respective regions is expected to make a great difference in the tribal areas. Finally, the experience from these two States of Chhattisgarh and Gujarat in regards to FRA only endorses to the fact that the condition of tribals in all respects whichever States they may be living are similar simply because the approach and policy towards the condition of tribals across the country is not any different in any major way.

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#### Notes

1. The total forest cover of the country constitutes 21.05 per cent of its total geographic area (FSI, 2011).
2. Each village is to elect a committee of 10 to 15 people from its own residents; they verify the claims and place them before the GS.
3. This method is said to be adopted by the authorities to give away the forest land that is only on fringe of the forest to avoid scattered occupancy in the interiors for better management of forests even if claims were made on such forest lands.
4. 7/12 and 8A are the legal documents pertaining to land.
5. 40 *guntas* is equal to 1 acre.
6. The fresh rules are expected to strengthen the GS with more powers and autonomy, while curtailing the role of the FD. The GS's committee (it prepares conservation and management plan for community forest resources once the forest dwellers' rights on such resources are recognised) can integrate the management plans handled so far by FD with its 'working plan'. The GS concerned is authorised to approve all decisions of the committee pertaining to transit permits (a new rule provides for the transportation of MFP by 'any appropriate means of transport' and the transit passes shall be issued by a committee constituted by the concerned GS), use of forest produce income and modification of management plans.