



# International Journal of Research Publication and Reviews

Journal homepage: [www.ijrpr.com](http://www.ijrpr.com) ISSN 2582-7421

## Forest Right Act 2006 – It's an effective implementation in Kandhamal

*Dr Prasanta Sahoo*<sup>1</sup>

<sup>1</sup> Academic Counsellor, Indira Gandhi National Open University (IGNOU), New Delhi.

E-mail: [p\\_prasantasahoo@rediffmail.com](mailto:p_prasantasahoo@rediffmail.com)

---

### ABSTRACT:

This article has tried to present the introduction of the Forest Right Act (FRA) 2006 by the Government of India to rectify the historical injustice during the colonial rule and post-independence period. Here an initiation has been made to highlight the forest land issues in Odisha regarding peoples' campaign against the faulty policy of the government towards green campaign for protection of forest areas. The progress of FRA 2006 in tribal populous districts like Kandhamal narrates the implementation, achievement, and convergence with other welfare schemes for sustainable development of the forest dwellers and enrichment of the indigenous people.

**Keywords:** Adivasi, Common property, Forest right, Gram sabha, Livelihood, Land title.

---

### Introduction:

Adivasis are regarded as India's indigenous or tribal people, they are the aboriginal community. Odisha is the land of 62 types of tribes including 13 Particular Vulnerable Tribal Groups (PVTG). "*The tribal people who have been living for thousands of years in the forest have a very strong conviction that the forest is theirs*"<sup>1</sup>. The tribal people depend upon forests and other natural resources for their sustenance and livelihood. Their lifestyle from birth to death and the social structure of the tribal people are closely related to the forest. Forest provides a variety of possibilities for living options among tribal people. Tribal people are emotionally attached to the forests through their deep-rooted sentiments. Sacred grooves are the Dev Van protected by the tribal people for their religious and social governance point of view. Hills, mountains and streams play a crucial role in their religious practice. By way of their cultural life, the tribal people have occupied the forest land from generation to generation without any legal entity and they use it for different means of living purposes. For ages, the tribal people have adopted shifting cultivation on the foot of hills around their settlements. Shifting cultivation is the primary means of livelihood for most tribal people. After independence, various tribal associations raised their different issues and submitted their memorandums to the government machinery for their legal entitlements and rights. Instead of giving the land rights, the government classified the tribal users of the forest land as encroachers. The indigenous people and forest dwellers raised their voice to the government agencies against this faulty policy and continue their green campaign for protection of forest areas.

After long demand from the tribal communities, forest dwellers, and civil society groups, the Union Government of India, Ministry of Tribal Affairs (MoTA) passed the historic Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA) in the parliament on 18<sup>th</sup> December 2006, it was notified by Ministry of Law and Justice on 2<sup>nd</sup> January 2007. Later on, this act was amended by the Ministry of Tribal Affairs (MoTA) vide its notification on 6<sup>th</sup> September 2012.

The main objective was to rectify the historical injustice by the colonial-era forest laws done to the tribal communities and other traditional forest dwellers. The earlier acts and policies passed by the British government in India such as the Forest Acts of 1865, 1894, and 1927 restricted the local forest dwellers from using the resources. After the introduction of this act, a series of meetings and seminars were organized by the government and NGOs to aware people of its utility and implementation process.

Later on, this Act was amended by the Ministry of Tribal Affairs (MoTA) with some modifications vide notification on 6<sup>th</sup> September 2012.

---

---

## Historical Issues on Forest Land:

History reminds us of past incidences relating to the injustice to tribal people and its consequences in the shape of agitation and violence on various occasions. For the protection of forest land, the tribals have sacrificed their wealth and lives several times. Some such live examples of Odisha are presented below.

### *Gandhamardan issue:*

The Gandhamardan Hill range is situated between Bargarh and Balangir District of Odisha. This hill is known as “Ayurved Paradise” with rich in biodiversity for medicinal plants and religious places like Nrusinghanath and Harisankar, the main source of livelihood for tribal people. It carries 22 streams and 150 perennial springs on it. The rivers Suktel and Ong are two tributaries that flow from Gandhamardan Hill and flow into river Mahanadi. The hill is endowed with 213 million tons of bauxite resources covering 9.6 square K. M<sup>3</sup>. In the year 1985, the government of Odisha planned to explore the reserve bauxite through the private company Bharat Aluminium Company (BALCO) by laying foundation stone with a project cost of Rs 33 Core by Sri Janaki Ballav Pattnaik, the then Chief Minister of Odisha.

The BALCO promised to engage 500 regular employees and 3000 persons as contract labourers. In addition to that, BALCO had also promised a 25 km railway line, a hospital, schools for the local people, a plantation under a social forestry programme and a royalty of one crore to the state government. At the first blasting in 1985, part of 800 years 800-year-old Nursinghanath temple was damaged and Garuda Sthamba was physically cracked. The company butchered around 60,000 trees for construction of roads and ropeways. The indigenous people were worshipping the forest and plants as their god. The destruction of the forest by the company was considered a threat to their culture and the tribal society.

In Manabhanga village the Durgei stream was irrigating 200 acres of land was badly affected due to the arrangement of the Minor Irrigation Project (MIP) on the Durgei stream to provide drinking water to BALCO township. The local people are aware of the environment and apprehended that their agro-based livelihoods will be paralysed with BALCO interventions. This was opposed by Gandhamardan Surkhya Parishad headed by youth leader Sri Pradeep Purohit and others. To protect the hills the "green movement" was initiated across the region through various peoples' groups like women, adivasis, youths, farmers etc. Finally, the government had to cancel this proposal for the exploration of bauxite from the hill.

### **Alumina refinery Project at Kasipur, Rayagada:**

Rayagada is a tribal populous district of Odisha. The main cultivation of this place is paddy, popcorn, groundnut, potato, onion, Mandia/ragi/finger millet and other seasonal vegetables. Tikiri was famous for its Hanuman Temple, one Shiva Temple and a Jagannath Temple to worship. A good number of small and medium-sized springs are flowing around this area and water is not a big concern in this area. Tikiri is a bit costly in terms of living because of the existence of the Alumina Industry<sup>4</sup>. Utkal Alumina International Limited (UAIL) is an Alumina Refinery company known as Hindalco group (Aditya Birla) of capacity 2 MTPA with its bauxite mine signed MOU with the government of Odisha at Tikiri in Rayagada District. This project raised several questions regarding the legality of the project, the attribute and quality of the environmental impact assessment and the involvement of local people in the decision-making process. Affected people started protesting against the alumina project when they saw that their rights were deprived through the state-sponsored policy favouring the mining project. Despite a joint venture of Hindustan Aluminium Corporation (part of Aditya Birla group) and Canada-based Aluminium Company of Canada to win the confidence of the local mass people this policy of the company faced strong resistance from the local community.

The local people expressed their displeasure against the mining project on different occasions. The local community formed “Prakrutik Sampad Surakshya Parishad (P. S. S. P.)” to protest the mining project of the government. The administration took to firing on 16<sup>th</sup> December, 2000 at Maikancha where three tribal people died in the firing. To suppress the people's agitation under the direct command and presence of the Rayagada District Collector Shri P.K. Mehrda, IAS, and Superintendent of Police Sri Sanjaya Kumar on December 1, 2004, the police have brutally attacked and critically injured 16 tribals and arrested several of them (mostly women) when more than 300 tribals and Dalits were protesting against the Government's forcible establishment of a Police Station along with a barrack for armed police at the village of D. Karol, near the proposed Alumina Plant site of UAIL (Utkal Alumina International Ltd.) at Doraguda<sup>5</sup>.

---

The local community raised their view in the public hearing for the project held on 17<sup>th</sup> October 2006 by the Odisha state Pollution Board in Tikiri where the villagers were affected by the project. “People from nearly half of the 24 project-affected villages lashed out at company officials for renegeing on promises”<sup>6</sup>. Despite people’s agitation, the Utkal Alumina Refinery project forcefully established its company in the area.

#### ***Niyamgiri Hill & Forest Right Issue:***

The Niyamgiri hill is situated in Kalahandi and Rayagada district in the southwest of Odisha. The hill is the native land of the Dongria Kandha indigenous people. The Ministry of Forest & Environment(MoFE) the government of India had sanctioned a lease to private mining firm VEDANTA Resource for the bauxite mining project during 2004. The tribals worship the Niyamgiri mountain as their god, as this is a sacred place. The tribal believed their survival depended upon the integrity of the ecosystem. The alleged mining site was to disturb the Particular Vulnerable Tribal Groups (PVTG) communities as described in the Forest Rights Act. Since the Kandha communities depend upon the forest for their survival and livelihood, deforestation might severely affect their life and the tribal society. Several perennial spiring and wildlife were to be severely affected. The state government was in favour of the mining project, so the state government officials were insisting on the Dongria Kandha people for mining. Niyamgiri Surakshya Samity (NSS) was formed to save and secure the Niyamgiri mountain against mining activities, the Lingaraj Azad was the convenor of the group.

Rahul Gandhi, AICC General Secretary visited the Lanjigarh the place where Vedanta’s controversial alumina refinery is located. He announced the declining of the Vedanta project as it was against the interest of the tribal people who were opposed it. “Congress leader Rahul Gandhi celebrated "victory" in Orissa's Kalahandi, saying the rejection of environment clearance to a big bauxite mining project in the Niyamgiri Hills is a victory of the indigenous people”<sup>7</sup>.

On 18<sup>th</sup> April 2013, the Supreme Court of India issued a clear direction that the mining project could be taken up when the local tribal people agreed to the mining project through the resolution in the gram sabha. As per the FRA act the Grama Sabha is the statutory body to decide on the mining activities. The gram sabha also passed unanimously resolution against the mining project by VEDANTA.

#### ***Kalinga Nagar Steel Plant, Massacre of tribes:***

Kalinga Nagar steel plant by TATA Steel Pvt Ltd is one of the landmarks in the history of the industrialisation process in Odisha which was severely opposed by the local indigenous tribal people. The TATA STEEL had signed an MoU with the government of Odisha to set up a steel plant at Kalinga Nagar in the tribal belt of Jajpur District. Although based upon the proposal of TATA steel, the government had sanctioned land for the industrialisation process, the local tribals near about 750 households are not removed and rehabilitated elsewhere. Instead of giving the land title to the tribals the state government deprived their legal rights over the land and livelihood. After 10 years of acquisition of land, TATA Steel initiated the construction of a boundary wall on the proposed plant site. The local tribals opposed this construction of boundary wall work. The district administration headed by Collector Sri Saswat Mishra; IAS was also present on the site during the demonstration by tribals. The tribals protest the construction by applying their traditional bow and arrows.

On 2<sup>nd</sup> January 2006 on Monday, the district administration reached the demonstration site with the deployment of a huge number of police personnel and local officials of the TATA group to remove the tribals from the disputed site. When tribals opposed the local officials the police personnel started firing upon the innocent tribals where 14 tribals (11 men and 3 women) were killed on the site. This was highlighted by print and electronic media. The local police seized the dead bodies and sent them to hospital for post-mortem work. It is a matter of plight that the hospital personnel returned the 14 nos of dead bodies to the relatives after cutting the palms of dead bodies. The doctors said that they have kept the palms of the dead bodies as proof of their identity and for DNA tests. The next day tribal people demonstrated with the dead bodies and blocked the Paradeep Sukinda Road at Duburi market. In a mass funeral ceremony, the dead bodies were cremated in the presence of various tribal leaders. The blockage of the road continued for a long time.

At that time the local BJD BJP coalition government was running the state. It was a hot political debate at the state and national level. Despite long demonstrations, TATA Steel continued to establish the plant at the site. The government declared compensation for the deceased families and displaced families. Initially, the tribals refused to accept the compensation, but later on, the kin of the deceased families received the compensation from the state government. The plant was established against the will of local people. After 14 years of incidence, the tribal people paid tribute to 14 tribal activists on 2<sup>nd</sup> January 2020 who were gunned down by the police firing at Kaling Nagar.

#### ***Dhenkanal Brewing Factory:***

The land Jhinargadi forest under Odapada Block of Dhenkanal District was protected by the Balarampur villagers to meet their livelihood and sustenance out of huge numbers of sal trees in the forest. This land covering 243 hectares of forest area like a common property resource (CPR)

for Balarampur and some neighbouring villagers that constitute around 1000 households. The women were protecting the village forest for three generations as trees are their life. The state government of Odisha has sanctioned some parts of forest land to Kolkata-based P & A Bottlers a private company to establish a beer factory. Chief Minister Naveen Patnaik laid the foundation stone for the project via video-conferencing on 3<sup>rd</sup> November 2017. On 17<sup>th</sup> November 2017, the village women of around 100 households assembled at the village forest to protest against the decision of the state government to hand over the forest land area to a private contractor to run a beer bottling plant.

From the history, it may be traced that during 2014 government of Odisha with the forest and environment department made taken decision to "earmark encumbrance free forest land to facilitate industrial projects"<sup>8</sup>. In protest, Balarampur Gramya Parishad (BGPP) was formed and they moved to the Odisha High Court against the Dhenkanal district administration and also approached the National Green Tribunal (NGT). When the contractor of the private party came to clear the land by cutting the sal trees, the village women gathered on the site on 17<sup>th</sup> November 2017 and hugged the sal trees following the movement in the CHIPKO Movement model of 1970 by Sunderlal Bahuguna, as they were nurturing the trees for few decades. In the presence of the district administration and police personnel, the contractor of the private party managed to cut 1000 sal trees in the forest land. This was severely protested by women members of the village and it was highlighted by national and regional print and electronic media. After media coverage of the protest by the women members, solidarity and moral support from all corners of the people in the nation were gained by the women members. Naveen Patnaik, Chief Minister of Odisha ordered the stoppage of the deforestation drive and further ordered for probe by the Revenue Divisional Commissioner. Basing upon the RDC report the Chief Minister cancelled the Rs 102 crore brewing project after protests from various sections of the people around the nation. This action is a historic win for the indigenous people and rural communities against the forced project by the government for economic growth.

### ***Introduction of the Forest Right Act 2006***

According to the forest rights law and act enacted in the parliament, the union government has introduced some procedures and formalities for the implementation of FRA 2006 to the citizens of India to get the services. Gram Sabha is the statutory body to receive the claims from needy forest dwellers and initiate a process of assessment of forest land. After the assessment of demand and claims of forest land, Gram Sabha consolidates the claims and applications of the inhabitants of forest land and verifies them to exercise their forest rights. Gram Sabha then passes a resolution and recommends to the sub-divisional level committee for processing their forest rights. In this stage, if the Grama Sabha is not satisfied with the claims of the applicants then the applications are rejected by the Gram Sabha. If the applicants are not satisfied with the decisions and resolution of Gram Sabha, then there is the provision of appeal by the applicants to the sub-divisional level committee directly. After assessment based upon the recommendation of the Gram Sabha, the Sub-Divisional Level committee passes the resolution to the district level committee for approval of the applications. The decision of the district level committee headed by the district magistrate of the district is considered final and binding. The whole process of recognition of forest rights is monitored by the state government through the constitution of a state-level monitoring committee involving all line departments. The committee constituted at the sub-divisional level, district level and state level including officers from the Department of Revenue, Department of Forest and Department of Tribal Affairs of the state government. The Panchayatiraj Institutions contributed three members including two ST member in which at least one women member. This Act recognises the forest rights and occupation in forest land to the Forest dwellers schedule tribes(FDST) and other traditional forest tribes(OTFT) who have been residing in forest areas from generation to generation.

### ***Features of FRA 2006:***

Based upon the recommendations of various committees the FRA 2006 is enacted in the parliament. It talks about following forest rights of forest dwelling schedule tribes and other forest dwellers which is ensured by the union government.

- Right to hold and live in the forest land under individual or common occupation for habitations or self-cultivation for livelihood.
- Right of ownership, access to collect, use and dispose of minor forest produce which has been traditionally collected within or outside of village boundary.
- Community rights of uses or entitlements such as fish and other products of water bodies, grazing and traditional seasonal resource access of nomadic or pastoralist communities.
- Right including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities.
- Right in or over disputed lands under any nomenclature in any state where claims are disputed.
- Rights for conversion of pattas or leases or grants issued by any local authority or any state government on forest lands to titles.
- Rights for settlement and conversion of all forest villages, old habitations, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages.
- Right to protect, regenerate conserve or manage any community forest resource that they have been traditionally protecting and conserving for sustainable use.
- Rights which are recognized under any state law or law of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribals under any traditional or customary law of the concerned tribes of any state.

- Right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity.
- Any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or any other traditional forest dwellers but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal.
- Right to in situ rehabilitation including alternative land in case where the Scheduled Tribes and other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation before the 13<sup>th</sup> Day of December 2005.
- Despite anything contained in the Forest( Conservation) Act,1980, the Central Government shall provide for the diversion of forest land for development purposes such as schools, dispensaries, anganwadis, fair price shops, electric and telecommunication, tanks, drinking water supply, rainwater harvesting structures, minor irrigation canals, non-conventional source of energy, skill upgradation or vocational training centres, roads, community centres subject to the development projects is recommended by the Gram Sabha. The development projects should not involve the felling of trees not exceeding seventy-five trees per hectare.

Source: Chapter- II, The Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act,2006.

1. The FRA 2006 ensures four types of Forest Rights to the claimants as follows<sup>9</sup>:

<b>Title rights (SIRONAMA)</b>	<b>The act vests Forest Dwelling Scheduled Tribes (FDST) and Other Traditional Forest Dwellers (OTFD) in right to ownership of land a maximum of 4 hectares that the land is cultivated by the applicant family and no case new land is granted for cultivation.</b>
<b>Use rights</b>	<b>This act ensures to forest dwellers for collection of Minor Forest Produce, use of grazing areas etc. All destitute forest communities across India have the right over Common Property Forestry resources.</b>
<b>Relief and development rights</b>	<b>This act safeguards rehabilitation in case of forced displacement or illegal eviction and provides basic facilities for livelihood subject to restriction for forest protection.</b>
<b>Forest management rights</b>	<b>This act includes the right to conserve or regenerate, protect or manage any village forest resources that they have been traditionally protecting and conserving for sustainable use.</b>

**Flow Chart for Implementation of FRA 2006:**

A citizen of India from tribal and other forest dwellers community may adopt the following process in the mentioned flow chart to get the services under FRA 2006.

Application by individuals in Form "A" or community in Form "B" to Gram Sabha at GP level



Gram Sabha will constitute a verification committee with 10-15 ST people having 1/3 ST Female members



Joint Field verification by Forest and Revenue Dept personnel

---



Preparation of encroachment map of the forest land by the applicant for three generations



Selection of eligible beneficiaries or groups by the Gram Sabha at the GP level



Recommendation and Submission of eligible beneficiary lists or groups to the Subdivisional Level Committee (SDLC)



The District Level Committee will issue TITLE(SIRONAMA) of the land to the applicant by the approval of the Collector of the concerned District.

### ***Status of Forest Right Act 2006 in India:***

After a long debate and struggle by the forest dwellers, and civil society groups to meet their livelihood requirements and land rights, the enactment of the FRA 2006 was passed in the parliament on 18<sup>th</sup> December 2006 and came into force for implementation at the field level. The cumulative progress of India is presented below for better understanding. As of the reporting date, 50.78 % of IFR and 60.19 % of CFR cases has been recognised by the government.

**Table No-1: Overall status of implementation of FRA in India**

	No. of forest right claims received		No. of forest right claims recognised		% age of claims recognised		No. of forest right claims rejected		Forest land recognised (In Acres)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	4364312	180574	2199012	108700	50.78	60.19	1749888	48062	4657606	12910968
<b>Total</b>	<b>45,44,886</b>		<b>23,07,712</b>		<b>55.49</b>		<b>17,97,950</b>		<b>175,68,574</b>	

Source: Ministry of Tribal Affairs, Govt of India, New Delhi

IFR = Individual Forest Rights and CFR = Community Forest Rights

The dashboard of India on FRA 2006 says that in the case of IFRA the Odisha state is at the third performing position of the national ranking next to Chhatisgarh and Telangana state and; Uttarakhand state is at the bottom position of the national rank. Similarly in the case of CFR, the state of Odisha is also at number three, next to Chattisgarh and Madhya Pradesh state who have made good achievements in the distribution of land rights

of CFR case, Bihar is at the bottom level, Bihar, Tripura and Goa states have not started land title distribution( Source: <https://dashboard.tribal.gov.in/> data as on 01.03.2023).

#### **Introduction of Forest Right Act (FRA) 2006 in Kandhamal:**

The District Kandhamal in Odisha is a centre of attraction for its scenic natural beauty with 70 % crown density of forest coverage. The land Kandhamal is one of the indigenous populous districts of Odisha. It is widely known for its Kandha Tribes. As per the census 2011, the Kandhamal district of Odisha has a total population of 7,33,110, out of which the ST population constitutes 53.6 % of the hole population. In Kandhamal, only 9.86 % of people live in urban areas while 90.14 % of people live in rural areas. Forest and forestry activities are the primary source of livelihood of the rural communities which includes Kandha tribes. Dharani Penu (Earth goddess) is the main deity, the Kandha tribe worships on various occasions as part of their cultural and religious need. Sacred groves are seen in each village, in forests and public places. The collection of Minor Forest Produce ( MFP) supports the tribal people in maintaining their daily needs. The Kandha people practise shifting cultivation to meet their food needs and cultural practices. With the increase in population, there is pressure on forest land to maintain the livelihood. From the nomadic society to the present society, over time the Kandha people have been using the local forest and forest territory for their survival and growth. They are using the forest land and common property resources generation after generation.

“Kui Samaj” is the association of the Kandha tribe functioning in the Kandhamal district to safeguard their claims and rights. There was a legitimate demand for recognition of their forest right to the Government. As there was no legal provision at the government level, the tribal people were not able to ensure their forest rights in government records. Based upon demands by various organisations and civil society across the country, the Union Government has passed the Scheduled Tribes and Other Traditional Forest Dwellers ( Recognition of Forest Rights) Act,2006 in parliament by the UPA government.

In Kandhamal, this act was assigned to the Integrated Tribal Development Agency (ITDA) by the government of Odisha for successful implementation at the grassroots level and to get the benefit of the act from the forest dwellers of the district. To popularise this act several meetings and seminars have been organised at different levels starting from the national level to the village level through various government and NGOs. By adopting the systematic procedure of the act in Kandhamal the forest dwellers of the district have received the services and received land title (SIRONAMA) and community forest right. The following table represents the cumulative achievement of the district.

**Table No-2: Status Tehsil wise Individual Forest Right Act 2006**

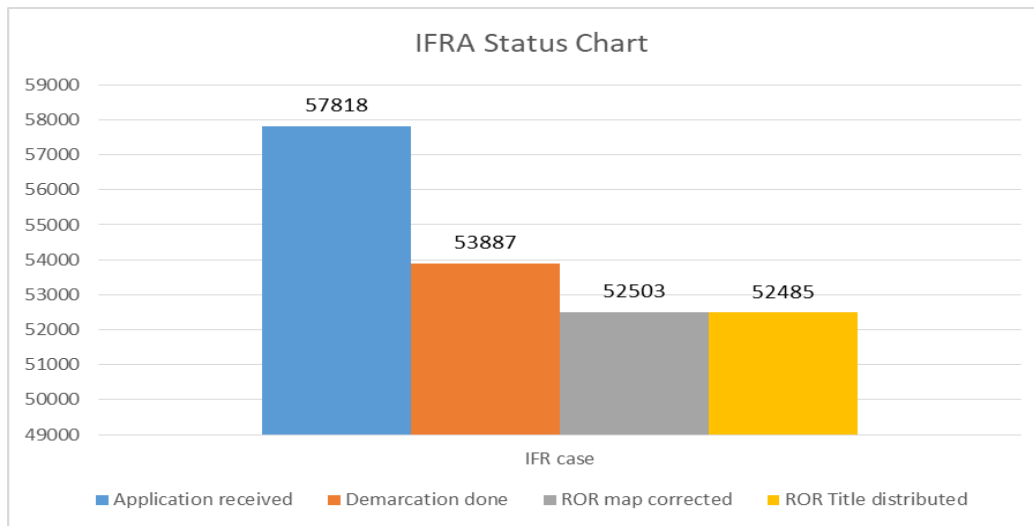
Sl. No	Name of the Tahasil	No. of IFR case records received for correction of ROR	Demarcation of land has been done	Balance	ROR & Map corrected	Balance	ROR Title distributed	Balance
1	2	3	4	6	7	9	10	12
1	Balliguda	4526	4340	186	4340	186	4340	186
2	Kotagarh	6280	5817	463	5470	810	5470	810
3	Daringbadi	12209	10151	2058	10151	2058	10151	2058
4	Tikabali	4303	4303	NIL	4267	36	4246	57
5	Raikia	3361	3088	273	3087	274	3087	274
6	Phulbani	2698	2646	52	2646	52	2646	52
7	G.Udayagiri	2761	2697	64	2627	134	2627	134
8	Tumudibandh	4946	4946	Nil	4946	Nil	4946	Nil

9	Chakapad	2642	2620	22	2372	270	2372	270
10	Khajuripada	2247	2089	158	2089	158	2089	158
11	Phiringia	7136	6552	584	5870	1266	5870	1266
12	K.Nuagaon	4709	4638	71	4638	71	4638	71
	<b>Grand Total</b>	<b>57818</b>	<b>53887</b>	<b>3931</b>	<b>52503</b>	<b>5315</b>	<b>52482</b>	<b>5336</b>

Source: Integrated Tribal Development Agency (ITDA), Phulbani, Kandhamal

The above table defines that a total of 57818 applicants have been received for correction of record of right (RoR) by the designated authority, out of which demarcation of land has been done by joint verification team members consisting of forest, and revenue department personnel. Accordingly, a record of 52503 nos of cases has been corrected and 52482 Nos land titles have been distributed to eligible beneficiaries. In Daringibadi highest nos. of applications ie 12209 nos. have been received, whereas from Khajuripada tahasil lowest nos of applications ie 2247 nos of applications have been received. In comparison to another block in Daringibadi Tahasil received the highest nos of land titles and Khajuripada Block received the least nos of land titles.

**Chart No-1: IFRA status of Kandhamal district**



After the distribution of land titles to the eligible beneficiaries it is one of the important tasks of the government to correct Bhulekh records in the website developed by the Revenue Department, Govt of Odisha. The following table represents that out of 57818 land titles distributed only 706 cases have been updated on the website. The progress is very poor. It needs prompt action for correction of the website at the earliest for accuracy of the land record and land map.

**Table No-3: No of IFR cases corrected Bhulekh, Odisha website.**

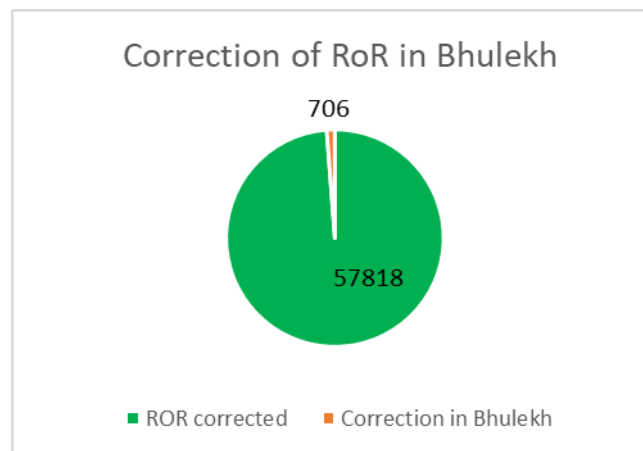
Sl. No	Name of the Tahasil	No. of IFR case records for correction of ROR	No. of cases corrected in "Bhulekh"	Balance	% age of correction in Bhulekh
1	Balliguda	4526	Nil	4526	0.00
2	Kotagarh	6280	100	6180	1.59
3	Daringbadi	12209	Nil	12209	0.00



4	Tikabali	4333	Nil	4333	0.00
5	Raikia	3361	Nil	3361	0.00
6	Phulbani	2698	330	2368	12.23
7	G.Udayagiri	2761	85	2676	3.08
8	Tumudibandh	4946	Nil	4946	0.00
9	Chakapad	2642	Nil	2642	0.00
10	Khajuripada	2247	180	2067	8.01
11	Phiringia	7136	Nil	7136	0.00
12	K.Nuagaon	4709	11	4698	0.23
	<b>Grand Total</b>	<b>57818</b>	<b>706</b>	<b>57142</b>	<b>1.22</b>

Source: ITDA, Phulbani

Chart no- 2: Correction of Bhulekh



### **Community Forest Right:**

Community Forest Right (CFR) is an important aspect of this act which ensures the community sustainably uses common property resources. Vana Sangrkhyan Samity (VSS) is the traditional concept of protecting the village forest for future usage by the villagers. The VSS use the forest resources in a regulated manner to meet their present requirement, simultaneously keeping them for use by future generations. This act provides SIRONAMA to the rural mass on the recommendation of the gram sabha. By the way of distribution of land titles to the community, the community is empowered to effectively manage the village forest to maintain the livelihood of the community. This act also safeguards the community for rehabilitation in case of illegal eviction and displacement for development purposes of government agencies. The Vana Sarakhyan Samity (VSS) are also registered by the forest department to protect the village forest and compensate for the degraded forest through afforestation programmes and natural regeneration.

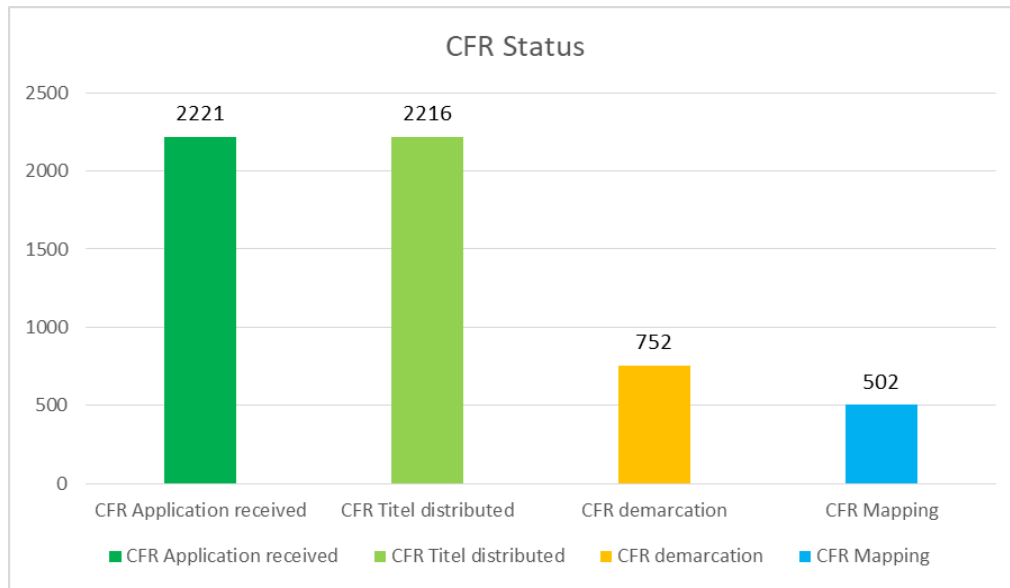
**Table No-4: Status of CFR cases:**

SI No.	Name of the Tahasil	Total no. of CFR applications received	Total No. of CFR Titel (SIRONAMA) distributed by District Nodal Office	Total no. of CFR cases Completed Demarcation	Balance CFR cases for demarcation	Total No. of CFR case mapping done	Balance CFR case Mapping to be done
1	Balliguda	235	235	58	177	58	177
2	Chakapad	158	158	70	88	46	112
3	Daringbadi	218	218	80	138	80	138
4	G.Udayagiri	59	54	59	0	59	0
5	K.Nuagaon	202	202	58	144	63	139
6	Kotagarh	119	119	33	86	0	119
7	Tikabali	112	112	95	17	41	71
8	Tumudibandh	176	176	50	126	11	165
9	Raikia	140	140	74	66	65	75
10	Phulbani	206	206	62	144	62	144
11	Phiringia	385	385	88	297	17	368
12	Khajuripada	211	211	25	186	0	211
	<b>Total</b>	<b>2221</b>	<b>2216</b>	<b>752</b>	<b>1469</b>	<b>502</b>	<b>1719</b>

Source: ITDA, Phulbani, Kandhamal

The above table represents Tahasil-wise CFR applications received where a total of 2221 nos of applications have been received for community forest right purposes, out of which 2216 nos of land title have been distributed by the government to the community. After the distribution of land SIRONAMA only 752 nos of CFR cases have been demarcated and 502 nos mapping done for CFR cases. In this case, Phiringia Tahasil received 385 nos of CFR applications and G Udayagiri Tahasil received the least nos of applications ie only 59 nos of applications.

**Chart No- 3: Community Forest Right (CFR) status**



**Conversion of Un-surveyed forest villages/habitations etc. declared as Revenue villages**

To rectify the historical irregularities made by the government, the FRA 2006 carries a very important message to declare Un surveyed village into a revenue village. Based upon the rights and awareness made by the various government and non-government agencies, the un-surveyed villages have the revenue village status of the district administration. The following table denotes that based on the application by the villagers, out of 35 nos of un surveyed villages 14 nos of villages have received the revenue village status from the government, rest 21 villages are in the process of declaration of revenue village. It is stated that only villagers of six tahasil have applied to get their village status.

**Table No-5: Conversion of Un-surveyed forest villages/habitations etc. declared as Revenue villages.**

Sl.No.	Name of the Tahasil	No. of un-surveyed villages proposed to be declared as Revenue Villages	Proclamation issued	No. of Un-surveyed villages already declared as revenue villages	Balance No. of Villages pending for declaration as Revenue Villages	Progress made by concerned Tahasildar	Status of the Un-surveyed Villages
1	Daringbadi	13	13	1. Kadipanga 2. Mundakuri village has already declared a revenue village	11	Dabaklu, Slomaha, Bahamaha, Prahadipangaganduri Mapping is in progress	Mahabandh, Nisiki, Bandapanga, Gandikamba, Adigudi In 5 villages case records submitted to SDLC Balliguda

2	Phiringia	6	6	1.Parakadi	4	Rasingpadar, Laindi, Kasakadi, Kutukadi Submitted to SDLC for approval	1. Rasingpadar Village- CFR Boundary and IFR and common land Demarcation completed through the GPs
3	Chakapad	8	8	1.Dangimahalu 2.Paberimaha, 3.Kandiganda, 4.Dalkibandar 5.Chakapad- PRF ,	Already Declared as Revenue Villages	Dangimahalu, Paberimaha, Kandiganda, Dalkibandar, Chakapad-PRF, Kadama, Kakharujhol, Salpataliapakhr uchira	
4	G.Udayagiri	1	1	1. Balumaha Village	Already been declared as a revenue village.		4
5	Khajuripada	1	1		including 01 Inhabitant village i.e.Arapaju	5	Khajuripada
6	Phulbani	6	6			Minonitodri, Kadisarua, Kadikupa, Malasudra, Katadisarua Preparation of the map is going on	Sensitisation meetings completed
	<b>Total</b>	<b>35</b>	<b>35</b>	<b>14</b>	<b>21</b>		

Source: ITDA, Phulbani, Kandhamal

### Convergence with various line departments:

The objective of various development programmes and schemes is the welfare of the common people. When different development programmes are available in a single window the beneficiary easily accesses the programme to get success and it makes the schemes sustainable. To make the programme successful and durable, convergence with various line departments is an important activity. It is found that during the last one-decade various development programmes are clubbed and available to the beneficiary for holistic development of the people.

As FRA ensures land rights to the indigenous people, so convergence for various land-based activities is also a very important job for the beneficiaries and line department. Now various government agencies have provided various development schemes like Rural Housing, Rural Sanitation, MGNREGS, horticulture, agriculture, animal husbandry, pisciculture, income generation programmes, etc to the beneficiaries for inclusive growth and development.

Similarly in the case of community forest right, the communities are provided with various development programmes for the development of the forest areas. The major development schemes include MGNREGS labour-intensive work, forestry activities, watershed development, horticulture plantation etc which are facilitated to the community for over all development of the forest area and forest periphery areas. The beneficiary of FRA is eligible to get 150 days man days labour work under NGNREGS where normal 100-man days are allowed to normal beneficiaries. Rural housing facilities are provided to the beneficiaries for the construction of houses on the allotted land. Similarly, horticulture and pisciculture

programmes are being provided to the beneficiaries to improve the livelihood status of FRA beneficiaries. It is proved that due to convergence the common property area is developed to meet the requirement of the local community by sustainable use of resources. The following table denotes the progress of convergence of FRA with other welfare schemes of Kandhamal district.

**Table No- 6: Convergence of FRA with other welfare schemes.**

Sl. No	Name of the Block/Sub Divn	No. of certificate of titles distributed to Individual claimants	IAY	Mo Kudia	Mo pokhari	Land Dev. Under MGNREGS	National Horticulture Mission	National Bamboo Mission	Other Programme (RAD, SMAF, Panichuin, Farm Pond PMKSY, Plantation MGNREGS)	Total beneficiary
1	PLB/BLG	57818	24735	1048	172	19802	4709	--	421	50887

(Source: ITDA, Phulbani)

### Case Study:

For a better understanding of the present discussed subject, we may take some case studies of individual forest right beneficiaries and community forest right beneficiaries who have benefitted by utilising this act.

#### Case- No.-1

Sri Tangila Kanhar aged about 60 years S/o- late Ambi Kanhar, Village- Tunursahi, GP- Phiringia, District- Kandhamal, State-Odisha is a tribal man from Kandha community. Tangila left his homestead land at hamlet Talasahi of Tunursahi revenue village leaving his ancestral property to his younger brother Tunia Kanhar in the year 1996 and settled at new forest land at hamlet village Upersahi of Tunursai revenue village which was occupied by his father Ambi Kanhar since long. Due to the economic pressure, Tangila was not able to continue his primary education after Class IV, he dropped from his primary education at nearby Sitikapati Primary School.

His family members consist of his wife Taramati Kanhar, his first daughter Kabita(35) got married, his second daughter Rasmita (25 Yrs) is continuing the GNM course after completing +3 Art from Panchayat College, Phiringia, son Sanjib (34 Yrs) is a skilled mason, daughter-in-law Renuka Pradhan (30 yrs), grandson Soumyajit (8 Yrs) is studying at Kaling Institute of Social Science (KISS), Bhubaneswar, granddaughter Bhabani (4 yrs) and second granddaughter Swatirekha (1 year).

Tangila and his family members used to reside in the forest land and cultivate the nearby forest land for a long without any land record. For tribals, the land record has no meaning although they use the land from generation to generation. After the introduction of FRA 2006, he got knowledge from local tribal leaders about this act and applied in the requisite form to the Gram Sabha to get the land right. The Gram Sabha recommended his name to get the forest right as he possessed very little land to maintain his livelihood. The local Amin came and measured the land he possessed, after following the all formalities and procedures fixed by the government he got the land title from the government in the signature of the Collector, Divisional Forest Officer and others during the year 2012. The following table represents the allocation of land titles (SIRONAMA) distributed to Tangila Kanhar.

Name of the Forest right land owner: Tangi Kanhar S/O- AmbiKanhar,

Taramati Kanhar,W/o- Tangi Kanhar

Address: Villalage- Tunursahi, GP- Phiringia, Tahasil- Phiringia, Dist-Kandhamal.

**Table No-7**

Sl No	Plot No	Area	Chauhadi	Remarks
1	29	Ha 0.568 Dcm	N- Self S- Self	Mouja- Tunursahi, Khata No-16 Ha: Ki- Taila Dui
2	145/A	Ha 0.244 Dcm	N- Road S-Jungle	Mouja- Tunursahi, Khata No-19 Kisam- Gramya Jungle, Ha: Ki- Taila Dui
3	39	Ha 0.525 Dcm	N- Self	Mouja- Tunursahi, Khata No-16

			S- Self	Kisam- Jungle, Ha: Ki- Taila Dui
4	49	Ha 0.105 Dcm	N- Self	-DO-
			S- Self	
<b>Total</b>		<b>Ha 1.442Dcm</b>		

'I have not paid a single rupee to anybody to get the land title', Tangila Kanhar said. It indicates transparency and accountability are maintained during the implementation of the scheme. The convergence of various development schemes is successfully linked with this beneficiary of FRA 2006. With the assistance of the rural housing scheme, Tangila Kanhar received Rs 48,000.00 for the construction of two residential rooms on his land. The toilet under Swachh Bharat Mission (Grameen) is constructed with the support of Rs 12,000.00. The horticulture department supported Rs 35,000.00 for raising mixed fruit orchards of mango, banana, coconut, litchi plant etc. By his initiative, Tangila Kanhar and his family members excavated a dug well for maintaining day-to-day life. Water scarcity is a common problem in each summer. The animal husbandry department has sanctioned loans for dairy farming, but it was not a successful business for this family. Out of four cows, three cows did not survive and presently one cow is alive. Agriculture is the main livelihood occupation to maintain his family. Each year this family get 4 to 5 quintal paddy from his land. So, ration card under the National Food Security Act (NFSA) is another source of living. Sanjiv the son of Tangila Kanhar goes for masonry works at the nearby Phiringia market and earns some financial benefit to the family. Mahatma Gandhi National Employment Guarantee Scheme (MGNREGS) provides employment to family members during the scarcity period. Now govt has issued a new MGNREGS job card bearing No- OR08024016019-7329 to the family. Expressing his displeasure Sri Tangila Kanhar said MGNREGS field personnel had assured him to release Rs 10,000 /- for land development works in the FRA land, but he only received Rs 4,000/- in his bank account. He said somebody might have manipulated my hard-earned labour charges, God knows what happened. But I believe in my work, I am happy with my present resources. "We want how our children will be educated and do well in their lives, we are working hard for themselves", Tangila said.

#### Case- No-2:

Tunia Kanhar (Age- 52 Years), S/o- Ambi Kanhar, Village- Tunursahi, GP- Phiringia, Dist- Kandhamal.

The family of Tunia consist of Tunia himself, his wife Susama Kanhar and four daughters and two sons. By profession, Tunia is a scheduled tribe farmer. He and his family members were used to living in his own revenue land in the same village for a long time. His family had also possession of forest land for a long time which had no land ownership received from government officials. After the introduction of the Forest Right Act 2006, Tunia applied for land title to the Gram sabha in the prescribed format. Meeting all the formalities of the act Tunia is able to get the land title during the year 2009-10. The following table represents the details of land titles received by Tunia Kanhar from government officials.

Name of the Forest Right Land owner: Tunia Kanhar, S/O- Ambi Kanhar,

Susama Kanhar, W/O- Tunia Kanhar

Address: Village-

Tunia Kanhar, Tahasil- Phingia, Dist- Kandhamal

**Table No-8**

Sl No	Plot No	Area	Chauhadi	Remarks
1	138/A	Ha 0.620Dcm	N- Tangi Kanhar S- Mouja- Sitikapati	Mouja-Tunursahi, Khata No-16 Kisam- Jungle Hal Kisam: Taila Dui
2	110	Ha 0.050Dcm	N- Basanta Kanhar S-Mouja- Sitikapati	-Do-
<b>Total</b>		<b>Ha 0.670Dcm</b>		

This land title is issued by the Divisional Forest Officer, District Welfare Officer and Collector with the remark, subject to the result of WP (C) no- 5833/2008 of Odisha High Court. Tunia and his wife have an interest in raising horticulture crops, so through the convergence programme he raised an orchard with various fruit-bearing trees and vegetable cultivation. Under Mission Integrated Development of Horticulture, he is able to get an incentive of Rs 2 lakh from the government out of the total budget of Rs 4 lakh for the construction of Pack House (Storing and grading house) during the year 2019-20. Local government has provided the ration card under the NFSA act, job card under MGNREGS and toilet under the SBM(G) programme. For irrigation purposes, he excavated a dug well with the hope of getting benefits from the MGNREGS programme, but he was not successful in receiving the labour charges. But the government has provided a Solar Based Water Irrigation facility under MISSION JIBIKA with the assistance of Rs 3 lakhs. This year he has planned to raise Dragon Food cultivation to meet his livelihood. Now Tunia and his family members are happy with their present income with hope of future perspective.

**Case No-3:**

The village Sarupada of Alami GP under Phulbani Block is a Kandha tribal village with twenty tribal households. The villagers depend upon the nearby forest to meet their day-to-day requirements for livelihood and cultural needs. As per Kandha tradition, the villagers worship DEVI CAHATI GELHEI the main mother goddess at *Basangi* forest covering 04 acres of village forest land, the place where they worshipped the earth goddess from the very beginning of the habitation from time to time when the villagers feel that mother goddess is dissatisfied upon the villagers. Here they sacrifice buffalo and goats by the tribal GURU to satisfy the mother earth goddess who offers good bumper crops and blesses the community for the wellbeing of the community. The last time they performed the PUJA was in the year 1965 and sacrificed buffalo. It is believed that if the mother goddess is angry then villagers will be affected by various diseases and they would face crop failure. Apart from that the villagers also worship Mother Earth in the name of *Kaka devi, Gram Seni, Jhakar Kuti, and Jayanti Kali* near surrounding village forests every year during April or May to get forestry products and use forest land within the confined village boundary. Separate persons are assigned for the worship of individual mother goddesses like Kaka devi by Rinku Kanhar, Gram Seni by Mati Guru Satyaban, Jhakar Kuti by Lokanath Kanhar and Jayanti Kali by Saptaswar Kanhar. Odisha Forestry Sector Development Projects (OFSDP) under the umbrella of the Forest Department, the Government of Odisha supported the villagers for the constitution of Vana Sangrakhyan Samity (VSS) in the year 2009-10 to involve villagers in the protection and management of village forest and local area development. The Special Development Council (SDC) for tribals constituted by the government of Odisha has supported Rs 2.5 lakhs during the year 2018-19 to the villagers for the protection of sacred groves of the worship area. Based on the application by the villagers following all formalities the villages got the land title( SIRONAMA) of the community forest land for their usage. The process is ongoing, as of the reporting date the application files of the villagers are kept at the disposal of the forest range officer, Phulbani for the preparation of a land map with a geographical position system (GPS) for the issue of final land patta by the concerned Tahasildar.

The detailed status of community forest rights of the Sarupada village is pending mutation and final allocation of land patta as follows:

**LAND SCHEDULE**

Mutation Case No & Date	Village Name	Khata No	Plot No	Kisam	Area (In Acre)	Area (In Hectares)
<b>Service ID- 100302175, Mutation Case No-2091/2022, Date- 18.11.2022 of Tahasildar, Kandhamal.</b>	<b>Sarupada</b>	<b>26</b>	<b>18</b>	<b>Parbat</b>	<b>0.1980</b>	<b>0.0800</b>
-DO-	Sarupada	26	31	Parbat	0.5540	0.2240
-DO-	Sarupada	26	50	Jungle	0.0860	0.0350
-DO-	Sarupada	26	62	Jungle	0.2420	0.0980
-DO-	Sarupada	26	85	Jungle	0.1610	0.0650
-DO-	Sarupada	26	109	Jungle	0.4050	0.1640
-DO-	Sarupada	26	110	Jungle	5.8170	2.3540
-DO-	Sarupada	26	134	Jungle	0.2220	0.0900
-DO-	Sarupada	26	135	Jungle	0.2640	0.1070
-DO-	Sarupada	26	253	Jungle	0.1240	0.0500
-DO-	Sarupada	26	329	Jungle	0.1280	0.0520
-DO-	Sarupada	26	330	Jungle	5.6220	2.2750
-DO-	Sarupada	26	334	Jungle	1.9400	0.7850
-DO-	Sarupada	26	398	Jungle	0.2720	0.1100
-DO-	Sarupada	26	400	Jungle	0.2050	0.0830
<b>Service ID- 100302182, Case No- 2098/2022, Date- 18.11.2022 of Tahasildar, Kandhamal,</b>	<b>Sarupada</b>	<b>27</b>	<b>2</b>	<b>Parbat</b>	<b>0.1580</b>	<b>0.0640</b>

Source: Tahasildar, Phulbani, Kandhamal

**Case No-4:**

Alami is a headquarters revenue village of the concerned GP under Phulbani Block with 130 households (ST-106 HH, SC-24 HH) covering 8 nos of hamlet villages. The tribal people used to depend upon the periphery village forest for meeting their daily livelihood needs and cultural practices. "The minor forest products include a collection of plough wood, construction of housing materials, toothbrush stick, firewood, leaf plate, forest mushroom, collection of stone for the house, we depend upon forest", Sri Ramakrishna Kanhar, the Secretary of the GP level FRA committee said. His wife Mrs Tapaswini Kanhar was the Sarpanch of Alami GP last time, so he was involved in assisting in the distribution of

FRA land title to the beneficiaries. “After amendment of FRA during 2012 the process became easier for distribution of land title, the beneficiaries are entitled to get 150-man days labour work under MGNREGS in each financial year”, he said. Expressing his displeasure, he said when a dispute arises the land title is not allotted to any person, in that case committee may be formed with senior personnel of the village to settle the dispute case to recommend to the right forum with a list of eligible beneficiaries for allotment of land. The following table represents the cultural practices and use of village forest land by the villagers.

**Table No-9**

Sl . No	Name of village forest in local name	Names of God and goddesses are being worshipped	Cultural Practices
1	Bihagupa	Trinath Puja	At the foothill, in the month of Kartik the Trinath Mela is organised on each sun day.
2	Bardikala	Parbat Puja	For village dispute, the puja was not organised.
3	Bandikupa	Indra Puja	In the river side Indra puja for the lord of rain is organised.
4	BakediParbata	Bagdevi	The non tribals perform Saraswati puja.
5	Godi Mundia	Maa Pitabali	In the foothill of the hill, people worship the mother goddess Pitabali and Laxmi.
6	Bidspi Parbata	Sadhu Puja	In the month of Baisakha morning hour puja was conducted for Sadhus.

Based upon the application by the villagers the community forest right is allotted to the villages of the above community forest land by allotment of SIRONAMA to the villagers. The file is placed at Forest Range Officer, Phulbani for preparation of a geographical positioning system (GPS) map with area and issue of land Patta by Tahasildar, Phulbani, Kandhamal.

The detailed status of the community forest rights of the Alami village pending mutation and final allocation of land patta is as follows:

**LAND SCHEDULE**

Mouza	Khata No	Plot No	Total Area (In Acres)	Total Area (In Hectares)	(In Acres)	Transaction Area (In Acres)	Transaction Area (In Hecs)	Kisam
Alam	109	219	0.1977	0.0800	0.1977	0.0800	0.0800	Jungle
Alam	109	271	1.2800	0.5180	1.2800	0.5180	0.5180	Jungle
Alam	109	273	24.2658	9.8200	24.2658	9.8200	9.8200	Jungle
Alam	109	306	17.2974	7.0000	17.2974	7.0000	7.0000	Jungle
Alam	109	335	0.4942	0.2000	0.4942	0.2000	0.2000	Gramya Jungle
Alam	109	336	0.6178	0.2500	0.6178	0.2500	0.2500	Gramya Jungle
Alam	109	365	0.2743	0.1110	0.2743	0.1110	0.1110	Gramya Jungle
Alam	109	367	0.7537	0.3050	0.7537	0.3050	0.3050	Gramya Jungle
Alam	109	368	0.3954	0.1600	0.3954	0.1600	0.1600	Gramya Jungle
Alam	109	369	0.2718	0.1100	0.2718	0.1100	0.1100	Gramya Jungle
Alam	109	370	0.3336	0.1350	0.3336	0.1350	0.1350	Gramya Jungle
Alam	109	371	0.2842	0.1150	0.2842	0.1150	0.1150	Gramya Jungle
Alam	109	372	0.1853	0.0750	0.1853	0.0750	0.0750	Gramya Jungle
Alam	109	373	0.1754	0.0710	0.1754	0.0710	0.0710	Gramya Jungle
Alam	109	374	0.2718	0.1100	0.2718	0.1100	0.1100	Gramya Jungle
Alam	109	376	3.4644	01.4020	3.6444	1.4020	1.4020	Gramya Jungle
Alam	109	858	0.3015	0.1220	0.3015	0.1220	0.1220	Gramya Jungle
Alam	111	18	0.4646	0.1880	0.4646	0.1880	0.1880	Jungle
Alam	111	145	0.3954	0.1600	0.3954	0.1600	0.1600	Jungle
Alam	111	147	0.3015	0.1220	0.3015	0.1220	0.1220	Jungle
Alam	111	277	0.2792	0.1130	0.2792	0.1130	0.1130	Jungle
Alam	111	285	0.4151	0.1680	0.4151	0.1680	0.1680	Jungle
Alam	111	286	0.3163	0.1280	0.3163	0.1280	0.1280	Jungle



Alam	111	287	0.3336	0.1350	0.3336	0.1350	Jungle
Alam	111	288	0.1063	0.0430	0.1063	0.0430	Jungle
Alam	111	289	0.3707	0.1500	0.3707	0.1500	Jungle
Alam	111	290	0.1112	0.0450	0.1112	0.0450	Jungle
Alam	111	291	0.4942	0.2000	0.4942	0.2000	Jungle
Alam	111	292	0.0494	0.0200	0.0494	0.0200	Jungle
Alam	111	293	0.3410	0.1380	0.3410	0.1380	Jungle
Alam	111	294	1.4085	0.5700	1.4085	0.5700	Jungle
Alam	111	295	1.0922	0.4420	1.0922	0.4420	Jungle
Alam	111	332	0.5683	0.2300	0.5683	0.2300	Jungle
Alam	111	333	0.5090	0.2060	0.5090	0.2060	Jungle

Source: Tahasildar, Phulbani, Kandhamal

The above table represents that more numbers of applications are filled by the villagers for getting Community Forest Rights (CFR) under FRA 2006. Despite government regulations, some government officials object to the villages for the collection of forestry products and the collection of stones etc as opined by villagers.

### Significance of Forest Rights Act (FRA) 2006

The FRA 2006 is significant for the following reasons, as it focuses on various issues relating to tribals and forest dwellers for their sustainable development.

- Individual rights of the tribal and marginal communities have been taken into consideration for giving land titles to forest dwellers.
- Community rights over common property resources (CPR) have been recognised first time in India.
- There is legal provision for the conversion of all villages, old habitations, un surveyed villages in to revenue villages.
- This act ensures the livelihoods and food security of the forest dwellers through sustainable use of forest resources.
- This act ensures the traditional knowledge system, cultural diversity and biodiversity of the forest area.
- The displaced communities are secured by this act. As a result, the Naxal movement was controlled in comparison to the previous period.
- This act will check the corrupt practices of govt officials and improve good governance for the management of tribal rights.
- If the individual or community have possession or continuously uses the forest land for three generations (75 years) then forest rights will be claimed.

### Conclusions:

Tribal people are the men of the soil. They are treated as initial dwellers of the earth. They depend upon the forest and other natural resources to meet their own daily livelihoods. The forest policy introduced by government during the British government period and post-colonial period restricted them from using natural resources. The indigenous people raised their voice against the forceful mining project and industrialisation process in Odisha. When tribal people realised that the mining project and industrialisation process taken up by the government was a threat to their lives and livelihoods, they unitedly fought against the defective policy of the government and they became successful in stopping some of the projects for operation. After long demand from various groups and civil society, FRA 2006 was enacted by the union government of India to rectify the historical injustice made by the government during the British administration and post-independence period upon the forest dwellers. By this Act, individual forest rights as well as community forest rights are ensured by the government when the beneficiaries demand their rights with proper process. The administration verified the demand through the gram sabha which is practised as a good governance system in India. The convergence of FRA 2006 with various welfare schemes like rural housing (PMAY), horticulture, pisciculture, MGNREGS programme make the life and livelihood of tribal people sustainable. Now it is time to utilise this act, the forest dwellers are to protect the forest land as partners of government.

The imposition of a Goods and Services Tax (GST) of 18 % on Minor Forestry Products (MFP) like Kendu (Tendu) leaf, adversely affects the trade and livelihoods of tribals as they depend on it. The Chief Minister of Odisha, Mr Naveen Patnaik had written a letter to Central Finance Minister, Ms Nirmila Sitharaman 25<sup>th</sup> November 2022 to withdraw the imposition of GST on Kendu leaf for the greater interest of the people of Odisha as lakhs of people associated with the trade are getting affected. As discussed in the last GST council chaired by the honourable finance minister this matter is referred to the technical committee for consideration of the case. Now it is a politically debatable issue in Odisha.

## BIBLIOGRAPHY:

- 1- 'Balco Agitation: A Brief History', A Documentary On Odisha's Green Movement In 1980s <https://odishabytes.com/balco-agitation-a-brief-history-a-documentary-on-odishas-green-movement-in-1980s/>
- 2- Man in the Forest, No-1, p-98, Forest and Tribe, Klaus Seeland, Franz Schumithusen, 2000, D.K. Print World, New Delhi
- 3- 'Balco Agitation: A Brief History', A Documentary On Odisha's Green Movement In the 1980s <https://odishabytes.com/balco-agitation-a-brief-history-a-documentary-on-odishas-green-movement-in-1980s/>
- 4- IGNOU, Environmental Movements in India, Development Policies, Environmental Impact and Collective Action, p-50
- 5- <https://en.wikipedia.org/wiki/Tikiri>
- 6- Brutal Police Action on Tribals in Kashipur: Orissa Government Using Police Force to Start Alumina Plant, Mining Watch, CANADA. Joint Appeal to all Citizens Organisations and Political Parties to save the democratic Rights of the mass people and the Right to Protect their Livelihoods and Life by Deshapremi Jana Samukhya and Prakrutika Sampad Surakhya Parishad, Kucheipadar, Kashipur, Rayagada, 1 December 2004, 7.51 pm\* EST.
- 7- Orissa aluminium project breaking law to build, expand, <https://www.downtoearth.org.in/news/orissa-aluminium-project-breaking-law-to-build-expand-8706>
- 8- <https://www.ndtv.com/india-news/rahul-gandhi-to-orissa-tribals-you-have-saved-niyamgiri-428884>.
- 9- Odisha's sal forests are safe for now as villagers of Dhenkanal stage Chipko against corp acquisition
- 10- Source: IAS Preparation UPSC Preparation Strategy Forest Rights Act (/free-ias-prep/) > (/free-ias-prep/upsc-examstrategy/) > (/free-ias-prep/forest-rights-act/)
- 11- 'Balco Agitation: A Brief History', A Documentary On Odisha's Green Movement In 1980s <https://odishabytes.com/balco-agitation-a-brief-history-a-documentary-on-odishas-green-movement-in-1980s/>
- 12- Brutal Police Action on Tribals in Kashipur: Orissa Government Using Police Force to Start Alumina Plant, Mining Watch, CANADA.
- 13- Felix Padel, Samarendra Das, 2010, OUT OF THIS EARTH, published by Orient Black Swan Publication, New Delhi.
- 14- Forest Rights Act Enables State Control of Land and Denies Most Adivasis and Forest Dwellers Land Rights by ENGAGE(EPW), 08.03.2022.
- 15- Felix Padel, 2011, Sacrificing People, published by Orient Black Swan Publication, New Delhi.
- 16- <https://en.wikipedia.org/wiki/Tikiri>
- 17- IGNOU, Environmental Movements in India, Development Policies, Environmental Impact and Collective Action, p-50
- 18- Klaus Seeland, Franz Schmithusen, 2000, MAN IN THE FOREST, published by D. K. Print World(P). Ltd., New Delhi.
- 19- Mihir K. Jena, Padmini Pathi, Jagganath Das, Kamala K. Patnaik, Klaus Seeland, 2002, Forest Tribes of Odissa, published D. K. Print World(P), Ltd., New Delhi.
- 20- Prathana Mitra, Chipko Movement in Odisha, Odisha's sal forests are safe for now as villagers of Dhenkanal stage Chipko against crop acquisition, 22 Nov 2028,
- 21- Orissa aluminium project breaking law to build, expand, <https://www.downtoearth.org.in/news/orissa-aluminium-project-breaking-law-to-build-expand-8706>
- 22- The Indian Express, August 03, 2022, A path through the forest.
- 23- The Scheduled Tribes and Other Traditional Forest Dwellers( Recognition of Forest Rights) Act,2006 and FRA Amendment Rules,2012 published by Scheduled Castes & Scheduled Tribes Research and Training Institute(SCSTRTI), Bhubaneswar.
- 24- Lekshmi M., Anup Kumar Samal and Geetanjoy Sahu, Environment, Government, Right, 15 Years of FRA: What Trends in Forest Rights Claims and Recognition Tell Us, 21.12.2021, (<HTTPS://SCIENCE.THEWIRE.IN/CATEGORY/ENVIRONMENT/>) (<HTTPS://SCIENCE.THEWIRE.IN/CATEGORY/POLITICS/GOVERNMENT/>) (<HTTPS://SCIENCE.THEWIRE.IN/CATEGORY/POLITICS/RIGHTS/>) .
- 25- <https://dashboard.tribal.gov.in>