

The Status of Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in India with Special Reference to West Bengal

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Abstract

The forest dependent indigenous communities in India are dependent on forest resources for their subsistence. In the present parlance of forest management in post-colonial India, most of these traditional products of the forest have been named non-timber forest produce (NTFP). The implicit dichotomy is between what constitutes timber, which can be sold at high prices in the market and is state property, and what is not timber, of less commercial value, and to which local communities can be allowed access. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (or FRA) is a welcome piece of legislation to recognise the customary rights of forest dependent scheduled tribe and non-scheduled tribe communities who have been residing in such forests for generations but whose rights could not be recorded. The provisions enshrined in FRA gave special emphasis on the involvement of the traditional forest dwellers in the process of sustainable development, conservation of bio-diversity and maintenance of ecological balance since they have a vast knowledge of traditional knowledge of such practices.

Keywords

Forest Rights Act (FRA), 2006, Non-timber Forest Produce (NTFP), Forest Dependent Indigenous Communities, Traditional Knowledge.

1. Introduction

The local communities have been geographically, ecologically and culturally linked to forest habitats, particularly in tropical regions of the world. In India, there are several local communities who depend on forest for primary or supplementary nutrition, ethno medical practices, energy and various other life supporting needs. Their view of nature is based on trust rather than domination, a perception which Tim Ingold (2000) posits as common among hunter-gatherers. Communities have been affected by restrictions to forest access under protection laws. Most often these laws draw their validation from a western perception of nature very unlike the reciprocal relationship perceived by these communities. The new Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereafter referred to as the Forest Rights Act or FRA) has been contextualised in the cultural specificities of forest dependent peo-

ple, particularly "tribal" people, their indigenous knowledge (IK) systems and the need to revive a supportive relationship between local communities and the native biodiversity.

The forest dependent communities in India are dependent on forest resources for their subsistence and in many cases they sell the products made from forest collection on commercial basis. Hence, large tracts of forest are essential to their survival strategies. Madhav Gadgil and Ramachandra Guha (1992) posit that shifting cultivation and hunting-gathering "with their low population densities, low per capita resource demands, cycles of materials closed on limited spatial scales, and a number of practices that promote sustainable resource use" usually have minimal ecological impact. In the present parlance of forest management in post-colonial India, most of these traditional products of the forest have been named non-timber forest produce (NTFP). The implicit dichotomy is between what constitutes timber, which can be sold at high prices in the market and is state property, and what is not timber, of less commercial value, and to which local communities can be allowed access.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (or FRA) is a welcome piece of legislation to recognise the customary rights of forest dependent scheduled tribe and non-scheduled tribal communities who have been residing in such forests for generations but whose rights could not be recorded. As per the preamble to the Act, it is an attempt to undo the "historical injustice" done to tribal people and forest dwellers since pre-independence. It has been a long developed argument that this legislation came at a very later stage; however, at least there is an assurance that the forest dwellers are given legal recognition and safeguards from now on. The Act offers a framework for recording the forest rights and the nature of evidence required for such recognition with respect to forest land. FRA recognises that forest dwellers have the same right in the forests as flora and fauna and they are an important and integral part of the forests (Jain and Sharma, 2015).

The provisions enshrined in FRA gave special emphasis on the involvement of the traditional forest dwellers in the process of sustainable development, conservation of bio-diversity and maintenance of ecological balance since they have a vast knowledge of traditional knowledge of such practices. Such a practice was obligatory under the Joint Forest Management (JFM) scheme that Ministry of Environment and Forests (MoEF) had started prior to FRA. The forest dwellers are now seen as the protectors and conservators of the forests and not as encroachers anymore. The Forest Rights Act describes that preference shall always be given to the forest dwellers in case of any conflict in regards to development decisions. This was the first time that any historical injustice to the forest-dwelling scheduled tribes and other traditional forest dwellers were acknowledged, and the steps to rectify such a stance were taken in the form of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

2. Salient Features of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

The following salient features of the Forest Rights Act have been enumerated by Jain and Sharma (2015) in their writings:

a. The Act is in fact a means to recognise the rights of these tribal communities and give rights to Forest Dwellers and Scheduled Tribes and related forest dwellers. These rights have been recognised in Sec. 3 of the Act that includes right to forest land in terms of living, holding, occupying the forest land. Rights to use the forest produce to collect and use it and any other rights that had been held by the forest dwellers traditionally. However, a certain number of rights were reserved with the government and were a subject to agreement of the Gram Sabha in order to divert land use for certain purposes. b. The FRA is basically of a right vesting nature and provides for consolidation and recognition of pre existing rights which meant that the rights were already in existence even before the FRA was formulated. It recognises that there

has been a failure in recognition of rights of the forest dwellers and tribal people. These people has been living in the forests and their rights have been constantly been ignored and which has resulted in discrimination against these people.

c. The Act also talks about the rights and duties that the forest dwellers hold in terms of protecting the wild life and diversity of the forests and other ecological areas to promote sustainability in these areas. One of the most important areas is the authority of the Gram Sabha. A Gram Sabha can be defined as a village assemble that consists of all the people residing in a village that are a part of the electoral procedure of the Indian constitution. This is an important aspect related to decentralisation of power and under the Act the Gram Sabha holds the final verdict in terms of decision on diverting the forest land to any other purposes, it would also be responsible for deciding upon the community rights and that of the individuals in the areas that has been marked as forest.

2.1. Radical Shift in the Management and Governance of the Forest

It was for the first time in the history of Indian forest laws; a radical shift was seen in conserving the forest ecology. Before the formulation of the FRA, the forest communities were excluded from the decision making process in regards to conservation of forests. The FRA fully recognises that the forest dwellers are an integral part of the conservation process. This is a total shift from the old school of thought that holds the forest dwellers were the cause behind the dwindling forest ecosystem. The debate that had been occurring in terms of conservation of the forests as against the livelihood of the tribal community has been put to rest as there is a clear demarcation in the Act in regards to the food security and livelihood of these communities.

The Act is clear in defining the categories in which the people who are eligible for these rights fall in to. The Act makes it clear that such people are the ones who have been living in the forests and are dependent on the forest produce for their livelihood. Secondly, the Act makes it clear that such claimants have to prove that they have been fulfilling these conditions for the last 75 years and is forest dwellers. Under Sec.4 (1) of FRA 2006, the claimant can also be a member of the Scheduled Tribe or residing in an area that has been marked as residence for them. The act recognises a number of rights that can be claimed by these individuals and are as the following.

1. Land held by communities or zamindaris, which were termed as Nistar or user rights to such land by these interim regimes.
2. Basic right to live and occupying the forest lands for self cultivation are embedded in the Constitution of India as well as FRA.
3. Perhaps the most controversial of all the benefits given was the right over land that was in dispute with the local or state authorities. Right to convert leases or grants issued by the state government were to be converted in to ownership rights or title deeds.
4. The right to use the forest produce or to sell minor forest produce that had been collected by these forest dwellers in a traditional method within or outside their villages. These included all non timber forest produce such as bamboo, grass herbs, and other plants and animal products such as honey and wax.
5. The forest dwellers would also be given aid in terms of development and the central government would aid in development of facilities such as schools, hospitals irrigation facilities and roads and so on and so forth. These were to be managed by the government. However these areas would be exempted from inclusion under the Forest Conservation Act of 1980. It was made clear that the use of forest lands for each of these purposes would be limited to less than one hectare and not more than 75 trees would be cut down for such purposes. It was essential to take the permission of the Gram Sabha for development of such projects before they would be commissioned.
6. The act also included other rights such as right to fish and other products that could be obtained from the rivers and

seasonal produce, traditional rights such as that for grazing were also ensued for nomadic and pastoralist communities. Rights were also given to communities that were particularly vulnerable and other agricultural communities.

7. Right were also given to the forest dwellers to conserve, protect, manage and regenerate the forests and reserves that they had been conserving and protecting before-hand in a sustainable manner. Rights that had already been recognised by the state or local councils as under the law that was based on local traditions and customs. Right to conserve and access the biodiversity since the local community had the knowledge based on traditions and culture that was related to the local forest areas. The law also included any other rights that haven't been mentioned above. This however did not include hunting and trapping of wild life animals that are a part of the local flora and fauna. Selling of animal bones and skin were also prohibited as it directly contradicted with other laws of the region. The forest dwellers were also given right for rehabilitation in case they had been forcefully or illegally evicted from a forest land without receiving any legal entitlement for their rehabilitation.

8. The forest dwellers were given right to settle and convert villages in to revenue villages that had fall in the category of old habitation, unsurveyed villages and forest villages earlier on. To summarise, the Forest Rights Act recognises three types of rights (Jain and Sharma, 2015).

The Act was heavily opposed by wildlife conservationists, such as Valmik Thapar, who believe that the Act does not include any safeguards for wildlife and fear that the extension of its mandate would lead to further incursions into inviolate forest spaces (*Jhala*, 2007). The Act could have addressed this concern by providing a sharp definition of 'other traditional forest dwellers' but the broad sweep of the definition adopted in the Act fails to exclude cases where vested interests have encroached on forest land, or where forest dwellers have themselves extended their encroachments (*Kalpavriksh*, 2006). This further buttresses the conservationists' apprehension that non-tribal persons, who have occupied forest land, may take advantage of this vague definition to claim rights under the Act as 'other traditional forest dwellers' (Venkateswarlu, 2007 and *Jhala*, 2007). Further, the Act defines a 'generation' to mean a period comprising of twenty-five years. Hence, in order to qualify for forest rights under the Act, the 'other traditional forest dwellers' must prove that they have primarily resided in and depended on the forest or forest lands for bona fide livelihood needs since the year 1930. The inclusion of such a restrictive provision would render the claims of nomadic tribes and members of the more vulnerable non-ST forest dwelling tribes, who may have relied on other means of livelihood since the year 1930, ineligible (*The Hindu*,2006).

The discriminatory nature of this provision is borne out by the fact that no such requirement is imposed on the Forest Dwellers and Scheduled Tribes. The Act fails to provide any guidance on the nature of admissible evidence to prove the beneficiaries' claims to forest rights. Given the stringent time requirement, which requires proof of residence for a period of seventy-five years, which would commence in the pre-independence period, it was argued that if oral evidence and spot verification were not included as admissible evidence, a large section of genuine claimants would be deprived, as government officials would rely on colonial records for the settlement of rights (Prasad, 2007). Similarly, the Act fails to explain the requirement to 'reside in... forests or forest land', which is applicable to both categories of beneficiaries.

This could be interpreted to mean living in areas recorded as forest land whereas most forest dwellers live in areas recorded as revenue lands and cultivate forest land and use forest resources (*Economic and Political Weekly*, 2007). It is also unclear whether the satisfaction of both these conditions, that is 'reside in' and 'depend on' is necessary for eligibility or could either be adequate. The choice is clearly a difficult one as most 'forest dwellers' do not strictly dwell inside the forests, living on forest land, but are heavily dependent on the forest land and resources for their livelihood. Therefore, a very broad definition could bring in various people who really have no strong traditional links with forests while a very narrow one could exclude many traditionally forest-dependent people who may not be surrounded by forest

but continue to depend on it. In all cases, a traditional link with the forest and a heavy dependence on it for survival and basic livelihood should be part of determining who should get priority in eligibility. An important flaw in the Act, as pointed out by its critics, is that Section 15 of the Act is in addition and not in derogation of the existing laws. This, in turn can lead to absurd consequences where the tribal people inspite of having the rights would be unable to exercise them as they would be inconsistent with the Forest (Conservation) Act, 1980 (*Kalpavriksh*, 2007 and Kothari, 2008).

3. Problems During the Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

3.1. Lack of Awareness and Education

The tribal population was and have always been vulnerable and thus experiences exploitation at the hands of the minor government agents, forest officers, money lenders and landlords. The main reason behind this exploitation are educational backwardness and lack of awareness when compared with the so called main-stream India (Jain and Sharma, 2015). The tribal people who are well accustomed with their own set-up of secure environment, become insecure when they are brought out of their known domain. The tribal people get all confused when they are brought into an environment of all written rules and legal documents. Since most of the tribal people are uneducated, it constantly gets more and more frustrating for them to deal with the changing systems. They become easy victims of fraud since they are not able to read and write and often their thumb impressions are taken by the government officials on documents that they are not able to make any sense of. Furthermore, education representatives of the society also take advantage of this situation and often tend to exploit the tribal alike.

3.2. FRA in Conflict with Other Legislations

An important flaw in the Act, as pointed out by its critics, is that Under Sec. 4.1, the Act is applicable ‘notwithstanding any other law for the time being in force’. Similarly, the same is reiterated under Sec. 13, whereby it is stated that ‘save as otherwise provided in this Act and the provisions of PESA’, however, it is also written that the provision that this Act shall be ‘in addition to and not in derogation of any other law in force’. Now, whether this Act will comprehensively be applicable notwithstanding any other law for the time being force or whether this Act is in addition to and not in derogation of any other law in force. Sec. 15 of the Act similarly states that this Act is in addition and not in derogation of the existing laws. This, in turn can lead to absurd consequences where the tribal people inspite of having the rights, would be unable to exercise them as they would be inconsistent with the Forest (Conservation) Act, 1980. This has created utter confusion and ambiguity as anyone may interpret the applicability of the Act as per their interpretation. It is seen that mostly this Act is interpreted in the sense that this Act is in addition to and not in derogation of any other law in force (Jain and Sharma, 2015). Problems may also arise regarding the jurisdiction of the various authorities under these separate but overlapping laws (*Kothari and Pathak*, 2006). This provision may also adversely affect the relationship between the provisions of the Act and other laws if explicit requirements for conservation and sustainability, which are embodied in the other laws, do not complement the provision of rights under the Act (Kothari, 2006). Further clarity is required in this regard to address cases where forest/ wildlife/ biodiversity damage is caused by the establishment and enjoyment of rights granted under the Act. It is also important to note that the application of this provision is subject to the other pro-visions of the Act. Therefore, in case the provisions of the other laws contradict the process of recognition of forest rights stipulated in the Act, the later will prevail (*Upadhyay*, 2008).

The Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereafter stated as FRA), is in implementation since 2008.

Till 29 February, 2012, more than 31.7 lakh claims have been filed and more than 12.54 lakh titles have been distributed (status report of Ministry of Tribal Affairs, 2013).

As per the government report and also reports from the civil society groups the provisions for community forest rights have remained largely unimplemented. The joint Committee of Ministry of Environment and Forestry and Ministry of Tribal Affairs on Forest Rights Act has clearly indicated that the progress of implementation of the Community Forest Rights (CFR) is abysmally low.

Ministry of Tribal Affairs (MoTA) has a system of monthly reporting on the implementation of the Forest Rights Act, 2006. However, civil society groups and movements working in different states have observed several anomalies in such reporting. The figures given in MoTA status reports cannot be completely or solely relied upon for assessing of FRA implementation, as these are often based on poor, inaccurate reporting as well as incomplete information provided by states. Additionally, the reports do not provide segregated data on CFR as described in Sec 3(1), on CFRs as given in Sec 3(1)(i) and developmental rights as given in Sec 3(2) [Community Forest Rights under Forest Rights Act: A Citizen's Report on Status and Recommendations, 2015]. It is important to mention that Bihar, Chhattisgarh, Himachal Pradesh, Jharkhand have not provided information on how many of the total claims and titles were Community Forest Rights. The most important feature is that West Bengal has a very low number of distributed Community Forest Rights [As per the latest (for the period from Sep. 2013 to Jan. 2015) progress report on Ministry of Tribal Affairs website, the status of CFRs, vide Table.1].

In some villages of West Bengal a Block Level Task Force have been set up in collaboration with the Forest Department to finalize the village list where Forest Rights Act, 2006 would be implemented (here the forest department has total control, they are selecting only permanent forest villages and publicly announcing that only tribal families would receive Pattas (land deed); interestingly, they are not discussing the community claims (Ministry of Tribal Affairs, 2012).

In Orissa, the community forest rights claims of Pauri Bhuyan, a particularly vulnerable tribal group, on Khandadhar hill, which they consider to be their sacred habitat in Sundergarh district, have not been accepted for the past more than two years. Over 2,000 ha land in Khandadhar is proposed to be mined by Posco India to extract iron ore for its proposed US \$ 12 billion steel plant in Jagatsinghpur district. In fact, in many cases in Odisha, the gram sabha proceedings have been manipulated or forged to allow forest diversion for industry without settling the forest rights, informed the participants. In Madhya Pradesh, the tribals in the Mahan forest in Singrauli are not being allowed to file the community forest rights claims for past almost two years. More than 900 ha of forests were proposed to be mined in Mahan by Mahan Coal limited a joint venture of Essar and Hindalco industries till the Supreme Court of India cancelled the allocation of 214 coal blocks, including the one in Mahan, due to the irregularities in process in September 2014. "None of the officials cooperated with us in the process of filing the community rights claims. When we asked for the data and maps of the forest boundaries to substantiate our claims, they would tell us there was no need to file FRA claims as, according to them, we were already enjoying the rights on the forests," said one of the representatives of the Mahan Sangharsh Samiti (MSS), an organisation of the forest dwellers affected by the proposed coal mining. Interestingly, the industry proponents have been advocating against the implementation of FRA, saying it denies the tribal people the benefits of development that would come from industrial projects in their lands.

But inexplicably, they have been insisting on bypassing the requirement of consent of the affected people for such projects under FRA, which also gives the project proponent a chance to explain the benefits of their project to the people.

In fact, it is the bypassing of this crucial requirement which has led to billions of dollars of investment getting stuck in projects like Vedanta's aluminium refinery and Posco's steel plant in Odisha. The government had to quash the approval given by it to Vedanta's bauxite mining project in Niyamgiri hills after the Supreme Court directed it to take the consent of the affected Dongria Kondh tribe who consider the Niyamgiri hill their sacred habitat. The tribe rejected the project. In the case of Posco, the government has not been able to acquire land because of protests on ground (*Shrivastava*, 2014).

4. Status of Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in West Bengal with Special Reference to Purulia

The main objective of the process is to recognize forest rights of the Scheduled Tribes and Other Traditional Forest Dwellers, who have been living inside forest areas or using forest resources for their main livelihood and thereby setting right the historical injustice done to them. All the Forest villages, situated on Reserved Forest land are being regularised under the Act. Similarly, all individual cases of old encroachment are being regularised, on priority basis, in South Bengal and North Bengal. There are also a large number of Forest Villages, in North Bengal, located within the Protected Areas which are proposed for declaration as Critical Wildlife Habitat. Moving out of these Forest villages, out of the Critical Wildlife Habitat, will require huge fund support from Government of India (GOI). Out of the 23 districts in the State, 11 districts were identified where there was scope of implementation of the provisions of the Forest Rights Act. These 11 districts are: Purulia, Bankura, Paschim Medinipur, Jalpaiguri, Burdwan, Cooch Behar, Hooghly, Birbhum, Darjeeling, Murshidabad and Nadia. It was also decided to immediately arrange for printing of forms, arrangement for other stationeries, arrangement for constitution of Forest Rights Committees, Sub-Divisional Level Committees and District Level Committees, and actual start of receiving claims. However, the process was temporarily held up as almost the entire administration was involved in conducting Panchayat General Election, held in May, 2008. The process of implementation again started after the Panchayat Elections were over. All the districts were asked to complete formation of Forest Rights by 31st July, 2008 and invite claims from that date. All the Forest Rights Committees in all the concerned districts excepting three Hill Sub-Divisions of the Darjeeling District were formed by the stipulated time. A total of 2819 Forest Rights Committees were formed. Twelve District-Level Committees and 33 Sub-Divisional Level Committees were also formed (Backward Classes Welfare Department Report, 2014). In Jalpaiguri district, in November 2008, the government was insisting on Forest and Revenue officials being members of the Forest Rights Committees - in direct violation of the law - and accusing protesters in the area of encouraging "encroachment." In the southern districts the process appears to be having taken place with almost no public awareness and with complete official control of the Gram Sabhas being called. A deadline of November 30th, 2008, had been fixed by the State government but protests took place at the end of November to get this extended, as in most areas Gram Sabhas never took place properly and hence could not have invited claims as per the Rules. Some 'Pattas' (land deed) were issued prior to the Lok Sabha elections, but it appears these 'Pattas' (land deed) have been identified by the Forest Department as no proper Gram Sabhas have taken place in almost all areas and no Forest Rights Committee (FRC) verification has been undertaken either. In the large number of forest villages and other settlements in North Bengal, no effort has been made to convert them into revenue villages. In-stead, the forest staffs have attempted to grant 'Pattas' (land deed) to people selected by them while denying the others even an opportunity to file their claims. This makes the process in direct violation of the Act. Efforts to resist these illegalities have been met with accusations that the concerned organisations are misleading people and are Maoist affiliates. Community rights have been totally ignored, and in areas where people have themselves attempted to exercise their community forest management powers and rights, as in Jalpaiguri District, these have been

sought to be repressed by the government. In October 2008, further, the West Bengal government issued a new Joint Forest Management circular which attempted to reduce these community forest management powers to Joint Forest Management, while imposing the same earlier conditions on the types and quantities of minor forest produce that can be collected, bans on grazing, etc., all of which are now illegal as per the Act. In Buxa Tiger Reserve efforts were made for several weeks in June and July 2008 to relocate people by the offer of the Rs. 10 lakh proposed compensation package. The process was subsequently halted after protests and intervention by political leaders. In August 2009 a writ petition was filed against these illegalities in the Kolkata High Court (*the Forest Rights Act. retrieved from <http://www.forestrightsact.com/current-situation-on-20/12/2014>*).

West Bengal covers only 2.7 per cent of India's land area but supports 7.81 per cent of its population (Census of India, 2001), leading to a population density of 903 persons / km², the highest of any Indian state (Govt. of West Bengal, 2008). Of the state's 80.22 million population, 5.48 per cent are Scheduled Tribes (mainly, Santals) most of whom reside in forest areas, and there are many more households who are rural based and depend on forests for their livelihoods. As the state gradually annexed forest lands to create the forest estate from the mid 19th century on (and currently 13.52 per cent of the state), they deprived local people of a wide range of customary rights, and these deprivations have largely continued to the present (Banerjee *et al.*, 2010). The implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has created controversy in West Bengal. The Gram Sabha, the basic unit in the process of forest rights recognition, has been replaced by the Gram Sansad, denoting the village level constituency under the Panchayati Raj system. This has been followed by contiguous arrangements as well as initiatives which are inconsistent with the Act. All these factors have led to undermining the spirit of the Act to promote community governance of forests, which has invoked stiff opposition from forest dwellers in the region (Jha, 2010). In order to implement the provisions of the Forest Rights Act, 2006 the State-Level, Dis-trict-Level, Sub-Divisional-Level Committees and also Forest Rights Committees have been set up [vide Table.2 (a)].

The table [Table.2(b)] clearly show that Purulia has a huge number of both Individual and Community Claims but the number of 'Pattas'(land deed) being distributed is quite low compared to the total number of claims. The truth behind this is a huge number of claims got rejected on the grounds which are often treated as contradictory to the very essence of the Forest Rights Act, 2006 (Banerjee *et al.*, 2010). The process of implementation was initiated in February, 2008 after the policy decisions taken in a State-Level Meeting involving all the State-Level functionaries. Receiving of claims started latest by July, 2008 (Backward Classes Welfare Department, 2013). It is to be mentioned in this context that the official report goes contrary the picture that we witness through both print and electronic media and writings of scholarly articles.

The forest dependent communities had suffered in the past as forests were logged and the habitat that supported their habitat. It is regrettable that we are unable to learn from the wisdom and knowledge system of the indigenous people and continue to make innovations in those areas, which the tribal people have already perfected. Something similar has happened to numerous self-initiated forest protection groups scattered all over the country. There is a lot to learn from them as they are evolved and managed by the people according to human as well as forest ecology.

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Table.1. Comparative Figures of Claims and Titles from September, 2013 to January, 2015

State	Community claims received till September 2013	Community Rights Claims received till January 2015	Community titles distributed till September 2013	Community Rights titles distributed till January 2015	Extent of Forest Land distributed as community titles till December 2014 (in acres)
Andhra Pradesh	6,714	10,959	2,106	2,107	Not available
Assam	5,193	5,193	860	860	Not available
Bihar	Not given separately	Not given separately	Not given separately	Not given separately	Not available
Chhattisgarh	Not given separately	Not given separately	Not given separately	Not given separately	Not available
Gujarat	8,723	7,182	1,758	3,856	Not available
Himachal Pradesh	Not given separately	Not given separately	Not given separately	Not given separately	Not available
Jharkhand	Not given separately	Not given separately	Not given separately	Not given separately	Not available
Karnataka	3,080	4,575	90	96	26,242.67
Kerala	1,395	1,395	4	Not given separately	Not available
Madhya Pradesh	16,916	40,501	10,500	18,551	Not available
Maharashtra	5,048	6,074	1,869	Not given separately	Not available
Orissa	10,951	12,500	2,631	3,474	Not available
Rajasthan	537	652	60	65	479.73
Tripura	277	277	55	55	56.70
Uttar Pradesh	1,135	1,123	814	834	Not available
West Bengal	7,824	3,241	108	Not given separately	Not available

Source: Community Forest Rights under Forest Rights Act
A Citizen's Report on Status and Recommendations

Table 2(a). Report on Implementation of the Provisions of the “Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006” in the State of West Bengal as on 25.07.2013

District	Individual Claims		Community Claims		Total
	ST	Non ST	ST	Non ST	
Purulia	21921	11638	19	648	34226
Bankura	20107	11767	512	95	32481
Jalpaiguri	4553	2346	3010	2032	11941
Paschim Medinipur	37377	14929	953	286	53545
Burdwan	3456	0	177	0	3633
Birbhum	883	0	67	0	950
Cooch Behar	183	0	09	0	192
Hooghly	08	05	01	0	14
Murshidabad	14	0	0	0	14
Darjeeling (Siliguri)	89	178	15	0	282
Total	88591	40863	4763	3061	137278

Source: Backward Classes Welfare Department, Govt. of West Bengal

Table 2(b). Distribution of Patta Under Forest Rights Act, 2006 in the State of West Bengal as on 25.07.2013

District	Patta Distributed		Quantum of land involved in cases of distributed pattas		Patta ready for distribution	Quantum of land in respect of ready cases (acre)
	Individual	Community	Individual (acre)	Community (acre)		
Purulia	6541	1	3461.60	10	0	0
Bankura	8566	0	3871.72	0	475	251.11
Jalpaiguri	4895	12	7500.66	18.39	831	1273.35
Paschim Medinipur	7355	09	1569.15	2.72	323	148.41
Burdwan	2762	53	446.23	9.40	527	93.43
Birbhum	140	0	176.60	0	0	0
Cooch Behar	505	34	73.81	19.78	0	0
Hooghly	8	0	0.65	0	0	0
Murshidabad	14	0	1.00	0	0	0
Darjeeling (Siliguri)	88	0	86.13	0	0	0
Total	30879	109	17187.55	60.29	2156	1766.30

Source: Backward Classes Welfare Department, Govt. of West Bengal.