

India

Upscaling community forest resource rights (CFR) recognition and governance in India

Legal history

Usurping Laws

- The Indian Forest Act, 1927
- The Wildlife Protection Act, Rules 1973 and Amendment 1991, Amendment Act 2006
- The Forest (Conservation) Act, 1980

Laws Enabling rights recognition

- Vth and VIth Schedule of Constitution
- Panchayati Raj Extension to Scheduled Areas Act, 1996 (PESA)
- Forest Rights Act, 2006 [Scheduled Tribes & other traditional forest dwellers (Recognition of) Rights Act, 2006]
- Tenancy laws like Chotanagpur Tenancy Act (CNT) & Santhal Pargana Tenancy Laws (SPT)

Social mobilisation

- Long history of struggles revolving around land rights and autonomy (the 'Great Rebellion' (1885) by the Santhal community; the rebellion by Birsa Munda (1895), Bastar Revolution in 1910; Tana Bhagat Movement in 1913-14)
- Forest and land rights movements as part of independence movement and struggles continued after independence
- Early 2000s – Massive social movements mobilizations to resist eviction from forest land and seek recognition of rights led to enactment of Forest Rights Act, 2006

Opportunity which led to the TF Projec

- Massive potential of recognition of collective forest rights through FRA to create collective forest tenure over 40 million ha. in almost 170,000 communities, creating more than 150 million forest rights holders. Lack of implementation of collective rights provisions of Forest Rights Act
- Successful examples of CFR rights recognition in states like Maharashtra and Gujarat and increasing demand for collective rights
- Successful piloting of collective forest rights recognition in Odisha and Jharkhand with involvement of RRI, partners such as JVAM and Vasundhara

Objectives

- Facilitating Filing legally valid claims for 1,000,000 ha. of Community Forest Resource Rights by 5000 village assemblies (Gram Sabhas)
- Ensure Recognition of at least 2000 Community Forest Resource rights over 400000 ha. of forests

From 01 January 2018

To 30 December 2020

Budget

US\$1,994,139



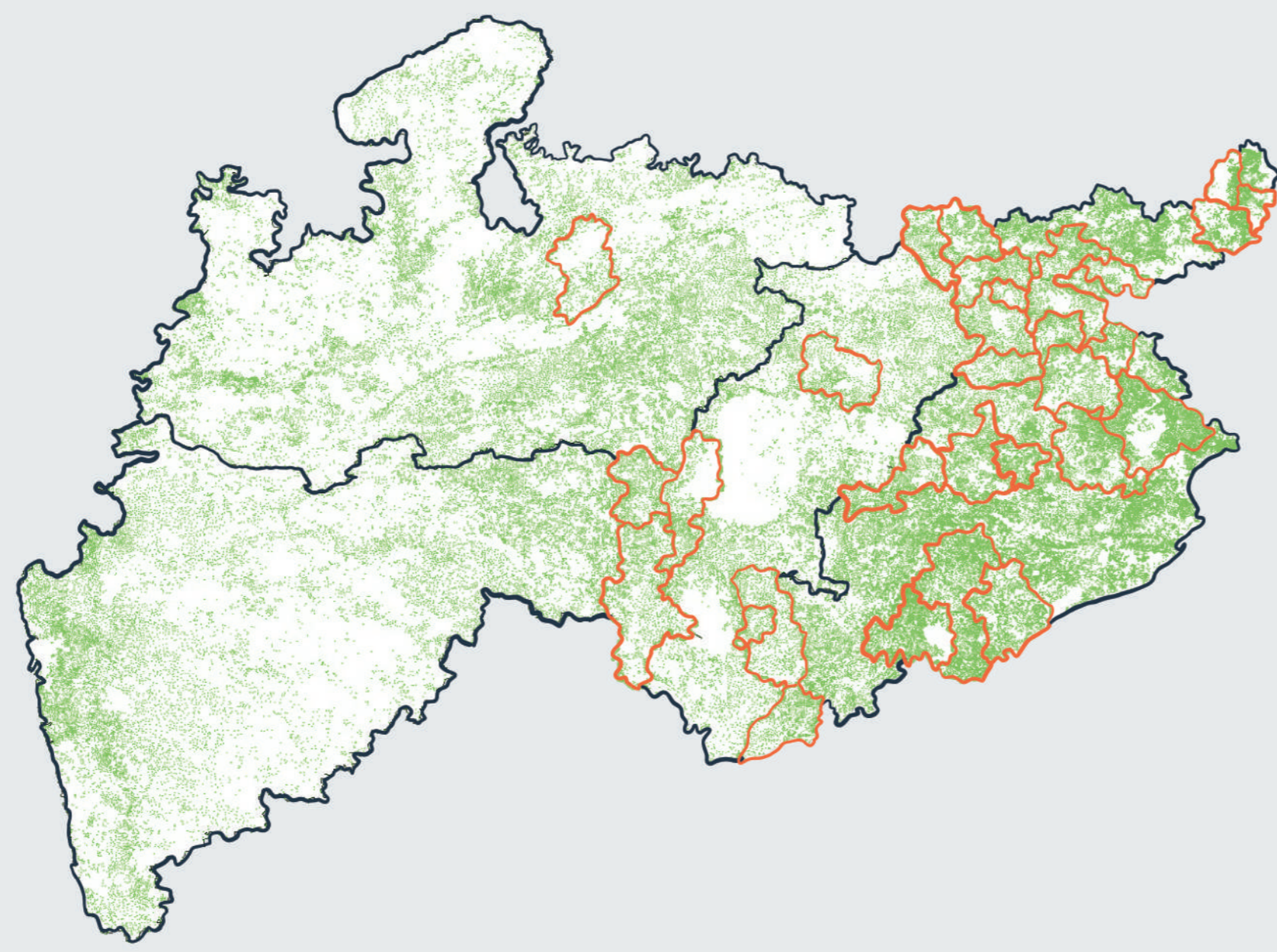
Proponents

Indian School of Business (ISB)

Associates

Vasundhara

Society for Rural, Urban, and Tribal Initiative (SRUTI)



Community Forest Resource Potential in Central India: Each green dot represents one community eligible for Community Forest Resource Rights.

 TF Project districts

Activities

- Direct assistance to communities in filing legal claims over forests
- Training and capacity building and handhold support at all levels – ranging from community leaders and facilitators, civil society organizations, and Government officials and Peoples Representatives
- Data collection, analysis and visualization to monitor and support community forest governance
- Dialogue with private sector actors to increase support for community rights

Expected Results

- 5000 new claims for collective rights are made for 1 million ha. of Community Forest Land
- A fresh pool of grassroot volunteers – trained in process of rights recognition, aware of the law, capable of GPS tracking and mapping are created
- Model of Forest Product Inventory and initial market linkages
- Breakthrough in building the business case for CFR recognition and governance

Achievements

- Area Titled: 5406 ha. in 79 villages
- Area with Titling in Process: 137,122 ha. in 555 villages
- Area with substantial progress in claim making (Stage3-6): 134,790 ha in approximately 700 villages
- People impacted: At least 1,000,000

State	Area Titled (No/Area)	Titling in process (Claims submitted /Area Claimed)	Claims in process of being prepared and submitted (Number/Area)	
		Claims submitted to Government	Claims in Stage 3-6	Claims in Stage 1-3*
Odisha	47/2462 HA	397/115,922 HA	412/102,790 HA	1224/172,400 HA
Jharkhand	32/2944 HA	158/53,436 HA	320/32,000 HA	1000/100000 HA
Project Total	79/5406 HA	555/ 169,358HA	712/134,790 HA	2224/272,400 HA

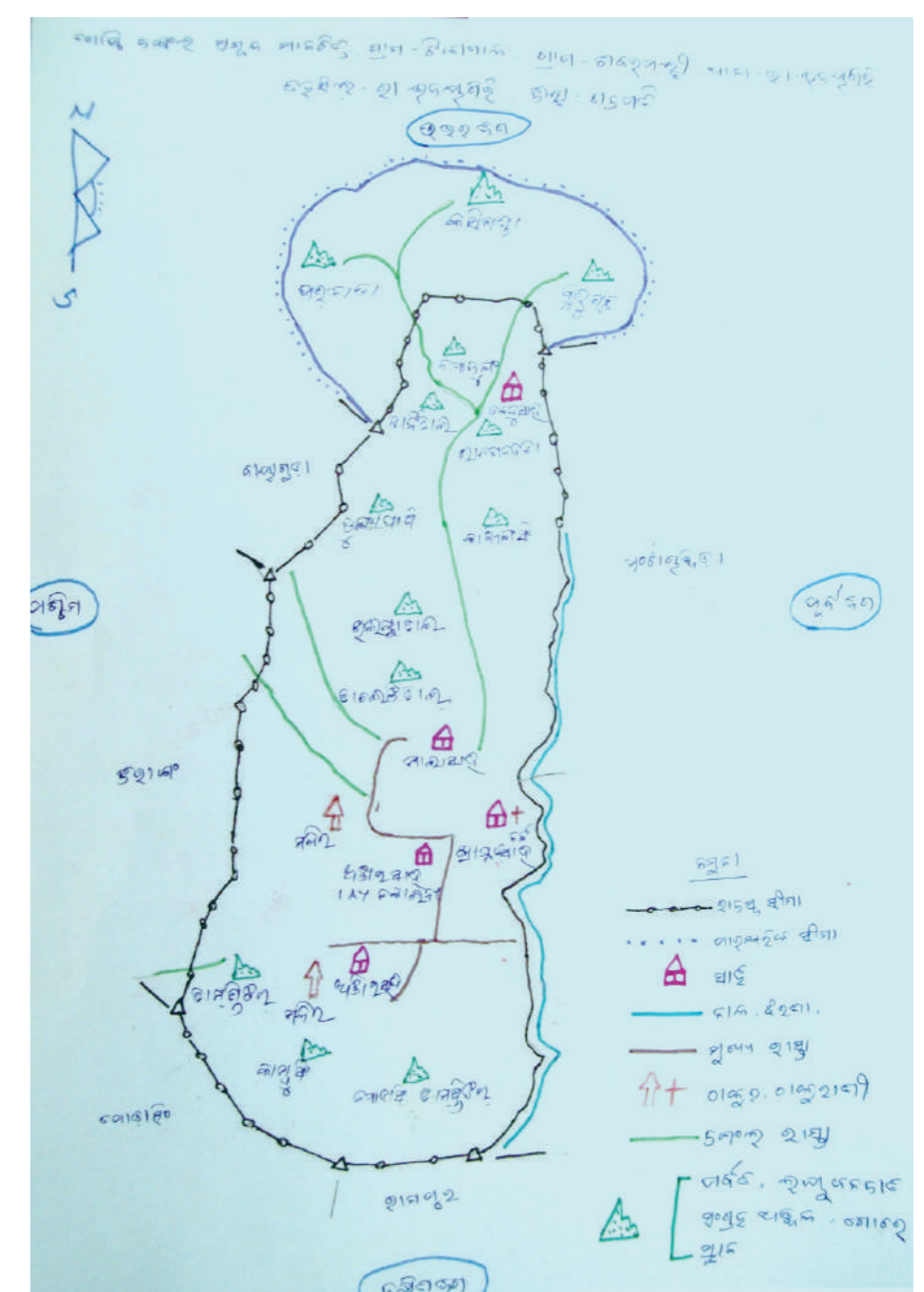
The data is approximate achievable numbers



Hands on training – CSO, govt, community – gps reading



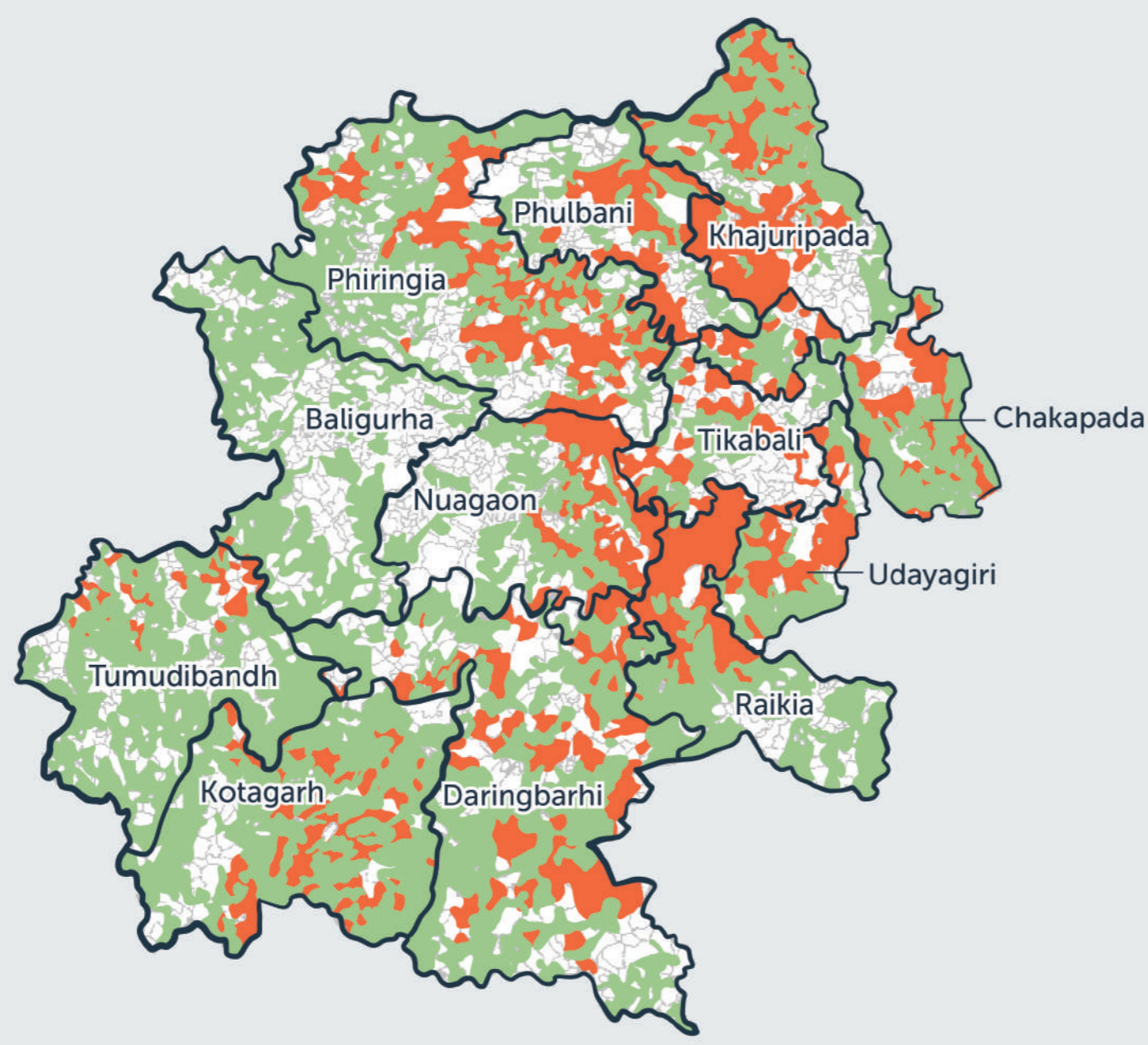
Heavy Women participation in leading the process of filing Claims



Sketch map of Community Forest Resource Rights prepared by village community



Meeting of Gram Sabha

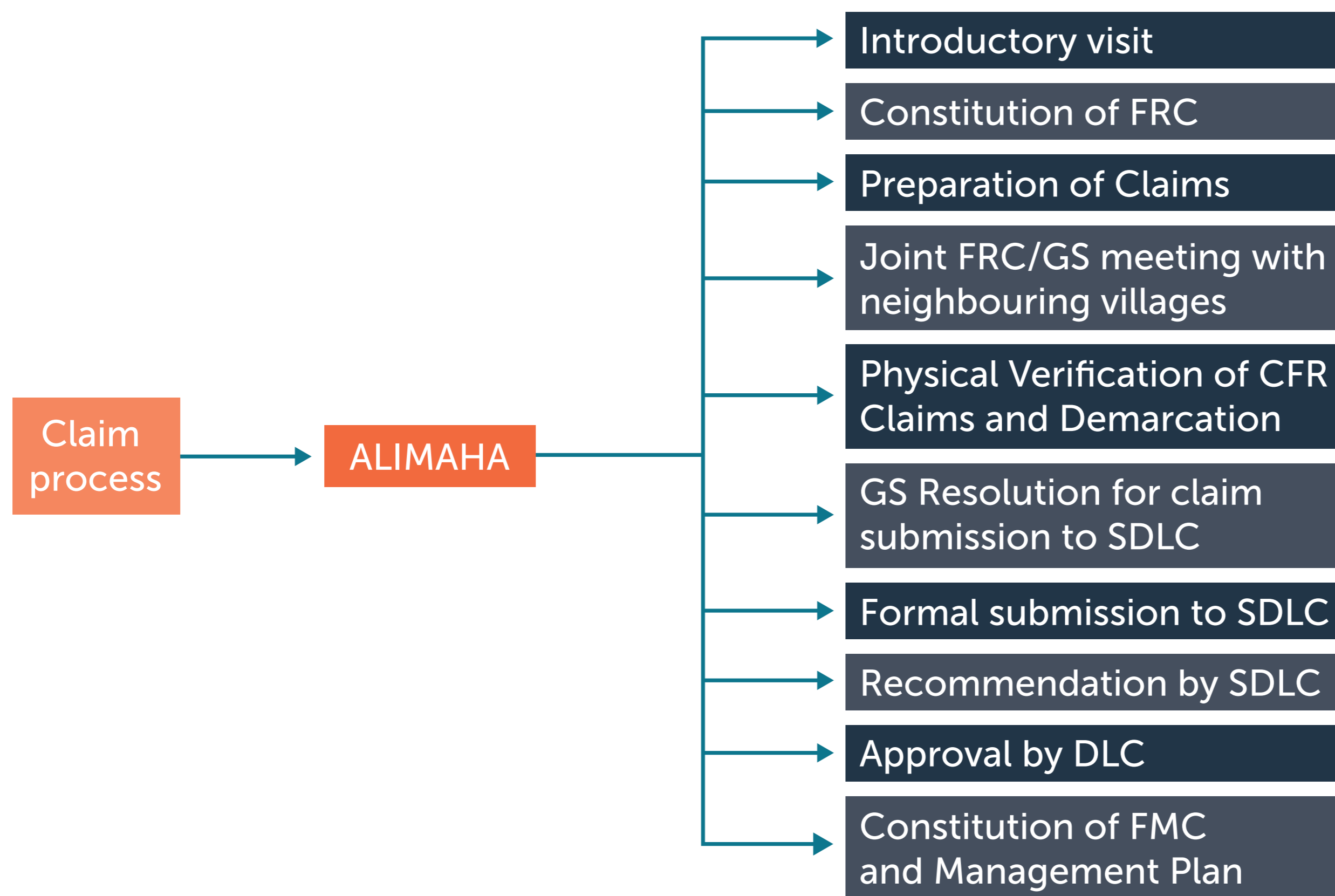


Kandhamal Village Under Tenure Facility

Map showing all Villages taken up for Tenure Facility Project in one of the TF Districts, Kandhmal, Odisha

- Forest
- Under Tenure Facility

Stages of Rights Recognition



Customary boundary mapping by villagers and community level volunteers; ownership of the process of rights recognition by communities.



Women community volunteers – learning to record gps readings



Have protected, will protect our forests



Learning to use technology to map community forest resource rights

Capacity Building

- Extensive capacity building of project volunteers, facilitators, coordinators through both classroom training and on hands training and orientation
- At least 10,000 community leaders have been oriented and trained in processes for recognition of community forest rights
- Training of Government officials, CSOs on Forest Rights Act
- Planned training to district heads and other senior officials through collaboration between National Institute of Rural Development and Tenure Facility Project
- Exposure visits– Yes, but in limited numbers. To be upscaled in future.

Effect

- Acceleration in community forest resource rights recognition process and opening up of new areas for community forest rights recognition
- Notable increase in efficiency of claims processing–because of better training, collective process defining processes
- Change in government procedures – Beginning to be seen; e.g. Standard Operating Procedures are about to be finalized/agreed to between State governments, CSOs
- Increased conservation and forest restoration by communities whose rights have been recognized