Demands of Tribal Ground Level Panelists in the context of the Forest Rights Act

Compilation of Findings of Ground Level Panels on Forest Rights
Facilitated by Praxis in 2017

Part of By the People, a project facilitated by Oxfam India, Centre for Social Equity and Inclusion and Praxis-Institute for Participatory Practices supported by European Union
1. Context of the Project and Ground Level Panels

The project By The People: Civil Society Organisation Led By Members Of Marginalized Communities Influencing Governance Processes For Inclusive Development aims at enhancing the leadership capacity of individuals from the most marginalised sections of society in six states of India. Oxfam India, Centre for Social Equity and Inclusion (CSEI) and Praxis-Institute for Participatory Practices have partnered together and with funding from the European Union, they support 55 Community Led Organisations (CLOs) in Bihar, Chhattisgarh, Delhi, Jharkhand, Odisha and Uttar Pradesh, which are spearheaded by motivated leaders from Dalit, Tribal and Muslim communities to advocate for an equitable and inclusive society. The four themes that the project focuses on are education, food and nutrition, health and forest rights.

While capacity building across a series of organisational development areas is on-going with the CLOs, one of the project activities is organising ground level panels (GLPs). A Ground Level Panel (GLP) is an inversion of the traditional High level Panel of experts and academicians. Community Led Organisation (CLOs) develop and facilitate a GLP in order to promote the Community’s Evidence Based Advocacy (CEBA) in order to address a key issue identified by the CLOs that is impacting the concerned community. It is a forum to bring together marginalised identities that have the lived experience of an issue, and in that capacity are ‘experts’ on that issue. The main purpose of any GLP is to analyse provisions of the policies from the lens of lived experience. The organising and formation of the GLP is a means of collecting, analysing and formalising community issues in a planned step which is completely led by community leaders and taken forward to larger Civil Society Organisations (CSOs) and stakeholders including government in the form of policy advocacy. Through these processes the excluded communities not only got an opportunity to raise the issues but also discussed ways and means to resolve them through local advocacy initiatives including charter of demands submitted to the line authorities.

During the year 2017, 14 GLPs were organised in which more than 787 community leaders from Dalits, Muslims and Tribals actively participated reaching out to representatives from CSOs, networks, government representatives, individuals etc. has set the tone for thematic advocacy process. Of the 17, there were four GLPs conducted with communities on Forest Rights in Bihar and Jharkhand.

2. Background to Forest Rights Legislations in India

In 1864 the “Forest Department” in India, which was also referred to as the Imperial Forest Department, was established with the sole objective of utilizing timber and other forest produce. Eventually, the Indian Forest Act was enacted in the year 1927, with the objective of supplying timber for constructing railway lines for the British rulers. In 1980, three decades after Indian independence, the Forest Conservation Act was enacted and brought the subject of forests under the concurrent list of subjects (shared by the Centre and State) and vested major discretionary powers and control of forests, forest lands for non-forest produce into the hands of the central government. A significant change was after the introduction of the National Forest Policy in the year 1988, where for the first time this policy recognised the needs of tribal communities and those who are dependent on forest produce for their living. With the economy liberalising in the 90s, forests were also opened to privatisation and mining linked investments. By 1995, the Supreme Court passed an interim order directing that tree-felling and other non-forestry activities in the forests should be stopped. With a decade long struggle of campaigns on survival and dignity of tribal communities and these issues gaining national prominence, India saw the enactment of Forest Rights Act in 2006.
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Since the passing of the 2006 act, collectives of tribal groups and civil society organisations have actively advocated for the cause of forest rights for three main reasons:

(i) Tribal lands are forcibly taken away and handed over to private corporations in the name of public interest. Numerous Memorandums of Understanding involving land acquisition are being signed between state governments and mining and other industries, all in the name of ‘development’ and ‘industrialization’;

(ii) Where community lands and resources are officially owned by the government, they are being handed over to private companies directly;

(iii) Special Economic Zones in many areas are encroaching upon the tribal way of life, community and forest lands, thereby denying many basic rights.¹

3. Ground Level Panels on Forest Rights

Set against this backdrop, the need for a dialogue between different stakeholders becomes important to understand the grass root level situations and fill in the gaps for meaningful implementation of the applicable laws. In order to provide a platform for dialogues and to hear the experiences of people from the community, four Ground Level Panels were conducted in 2017.

The aim was to understand different issues as well as experiences of the community with regard to the status of Forest Rights Act in their locations, in terms of formation of various bodies such as Gram Sabhas, Forest Rights Committee, to understand their extent of functioning in their respective areas, to understand the dependence of different stakeholders on different forest produce, extent of implementation of the laws and the level of benefit that the community derives from the laws and other aspects closely related to forest rights. The ground level panels were organised in different locations of India, such as Hazaribagh, Madhupur, Jhajha and Kalahandi (the data for the Kalahandi GLP includes participants from Koraput, Rayagada, Kandhamal.)

Some key characteristics of the panellists is in detailed in the image below:

4. Findings of Ground Level Panels

4.1 Status of Gram Sabhas in the villages of the panelists:

The Forest Rights Act, 2006 provides for the constitution of a “Gram Sabha”. The act has also laid down its functions. In addition, Section 4(c) of the Panchayat Extension to the Scheduled Areas Act, 1996 (PESA) every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level. The act that one-third of the members shall be women. The functions of the Gram Sabha have been summarised below:

- Initiate the procedure for claim and hearing of the claims
- Formation of committees for the protection of forest, wildlife and biodiversity
- Accept or reject government’s decision with respect to claims
- Identification of customary boundaries as well as forest resources before making the claims (while making claim in case individual forest rights use of traditional methods such as using sticks to draw tables would be helpful however in case of making claims for community forest rights GPS methods can be used)

The status and extent of functionality of Gram Sabhas was one of the topics of discussion at the panel and opinions from across locations are detailed in the illustration below:
The panellists were all asked to help nuance the factors that determine the functionality of the gram sabha and parameters of regularity of meetings, fulfilment of quorums of the special gram sabha meetings, trading of non timber forest produce through Gram Sabhas as well as intimation to the community of gram sabha meetings. The findings across these parameters are detailed in the chart below:

### Chart 1: Functionality and Status of functionality of Gram Sabhas in four locations
(Kalahandi n= 18, Jhajha n= 11, Hazaribagh n= 16, Madhupur n= 15)

- **Existence of Gram Sabhas and frequency of meetings**: In Kalahandi, out of the total of eighteen villages represented, gram sabhas are active in fourteen villages, however only in eight villages were the gram sabhas meetings conducted on a regular basis. In Hazaribagh, out of sixteen villages that were represented only in two villages it was found that regular meetings were held. In Jhajha, it was discussed that the gram sabhas were not held at all. In Madhupur it was discussed and observed that out of fifteen villages that were represented only in gram sabhas were regularly conducted.

- **Quorum of special GS meetings**: In Kalahandi, out of the eighteen villages that were represented eleven villages were found to have mentioned that during the special GS meetings the quorum was fulfilled. In Hazaribagh, of the sixteen villages that were represented it was discussed that in twelve villages though the register shows that the special GS meetings fulfilled the quorum however in reality the quorum was not fulfilled. In Jhajha, it was discussed that the special gram sabha meetings were never held and neither was the quorum for the special gram sabha meetings fulfilled. In Madhupur it was also found that out of the fifteen villages, in eight villages special gram sabha meetings were conducted and out of these, only in seven villages the quorum was fulfilled.

- **Trading of NTFPs through Gram Sabhas**: In Kalahandi, only five villages reported that their gram sabhas were involved in trading of NTFP of the total of 60 villages that were represented.

- **Notification to the community about Gram Sabha meetings**: In Kalahandi, out of eighteen villages it was found that in twelve villages the community was notified and informed about the gram sabha meetings. In Hazaribagh, out of the sixteen, in ten villages the information about the gram sabhas reached the community. In Madhupur, out of the fifteen villages that were represented it was found that in seven villages the community has been informed about the gram sabha meetings. In Jhajha, the panelists discussed that majority of the people are not informed about the gram sabha meetings.
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4.2 Mapping dependence on forest produce

An activity was done with the panellist at all the locations to identify the extent of dependence and the purpose of dependence of different stakeholders on different forest produce. The different forest produce that was discussed during the activity included firewood, neem wood, tendu leaves, wood for making furniture, wood for making brooms and medicinal and herbal plants and the different stakeholders that were identified included the tribal community, other communities that depended on forest produce, powerful people, forest guards/officials from forest departments.

The findings of the process have been summarised below as per the locations:

*Kalahandi has not been represented*

**At Jhajha Bihar**, it was found that the tribal communities in seven out of the total eleven villages that were represented in the GLP use forest produce such as firewood, dried leaves, herbal plants, mahua and fruits for their self consumption whereas in a maximum of four villages it was found that they use the forest produce such as tendu leaves, neem wood, sticks for making brooms and fruits for selling and earning a livelihood. It was found that the non-tribal community depended on forest produce as well and a majority of eight villages out of the total of eleven villages use the forest produce such as firewood, dried leaves for their own purposes whereas a majority of three villages out of the total uses the forest produce such as tendu leaves, neem wood, sticks for making brooms and fruits for selling purposes.

**At Hazaribagh**, it was found that the tribal communities in ten out of the sixteen total villages that were represented in the GLP used the forest produce such as timber, mahua, chironji, kendu leaves and fruits for their personal use as well as for selling. Amongst the non-tribal community, dependance on forest producein eleven out of the sixteen villages was on such as timber, mahua, chironji, kendu leaves for both their own purposes as well as for selling purposes. Amongst the powerful people and the forest officials it was observed that five villages out of the total of sixteen villages use it for both selling as well as for their own purposes.
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At Madhupur, it was found that the tribal communities in ten out of the total fifteen villages that participated use the forest produce such as firewood and tendu leaves for their own consumption whereas a maximum of five use the same forest produce for selling. Amongst the non-tribal community dependence on forest produce was for nine villages where they use the forest produce such as firewood and tendu leaves for self consumption whereas four villages use the same forest produce for selling.

Challenges and key issues related to community forest rights

Some of the challenges and issues while claiming community forest rights that were discussed by the panellists, have been briefly mentioned below.

1. **Restrictions on collection of forest produce**: Restrictions on collecting forest produce are imposed by the officials from the forest department and sometimes there are also restrictions imposed on collection of firewood.
2. **Illegal encroachment over forest lands by the forest department officials**: The forest officials have claimed rights over the land where the community has been cultivating and further they also erect pillars and boards to demarcate that the land belongs to the forest department.
3. **Lack of awareness among the community about their rights**: The panel members discussed of lack of awareness amongst them about their rights to community forests as well as the procedure to make claims for the same.
4. **Combating operations**: The panel members discussed that the operational and procedural hurdles restrict them from accessing the forest produce.
5. **Consensus**: The panelists discussed that to reach at a consensus amongst the community also becomes a challenge while making claim for community forest rights as different communities have different demands and priorities.

4.3 Status of Forest Rights Committee

The findings of the process on the forest rights committee have been summarised below:

<table>
<thead>
<tr>
<th></th>
<th>Kalahandi</th>
<th>Hazaribagh</th>
<th>Madhupur</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formation of FRC</td>
<td>14</td>
<td>14</td>
<td>9</td>
</tr>
<tr>
<td>Two-third members</td>
<td>13</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Belonging to tribal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>community</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Fulfillment of</td>
<td>14</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Quorum criteria</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-third member</td>
<td>14</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Constitutes women</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Verification</td>
<td>14</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>On spot investigation</td>
<td>13</td>
<td>8</td>
<td>1</td>
</tr>
</tbody>
</table>

**Constitution of FRCs:** In Kalahandi, of the eighteen villages represented only fourteen villages have constituted Forest Rights Committee. In Hazaribagh, out of the total of sixteen villages that were represented the Forest Rights Committee has been constituted in thirteen villages. In Jhajha, the forest rights committee has been set up only at the panchayat level, the committee at the village level had to be set up but due to lack of awareness of the Forest Rights Act, till date...
it has not been formed. In Madhupur, out of the fifteen villages that were represented only four villages had formed the forest rights committee.

- **Composition of FRCs**: In Odisha, at all the fourteen FRCs they had fulfilled the constituency criteria of having two-third members from ST community and one-third women members. In Hazaribagh out of the total of sixteen FRCs, the composition criteria membership had been fulfilled in eight villages. In Madhupur, out of the fifteen villages represented, four villages had FRCs out of which three fulfilled the criteria of having two-third members belonging to the tribal community and one village fulfilled the criteria of having one-third member from the women category.

- **Functioning of FRCs** is detailed in the image below:

4.4 SDG Mapping

The discussions of the panellists were also mapped against the SDGs. They discussed current implementation status of the Forest Rights Act and a summary of the key problems identified against the three relevant sustainable development goals identified by the panellists is detailed below:

<table>
<thead>
<tr>
<th>SDG Goal</th>
<th>SDGs and Targets</th>
<th>Problems Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goal 1 – End poverty in all its form everywhere</strong></td>
<td>1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance</td>
<td>1. Ban on sale of NTFP 2. Taking away the forest lands from the forest dweller and giving it away to the companies.</td>
</tr>
<tr>
<td><strong>Goal 10 - Reduce</strong></td>
<td>10.1, By 2030, progressively achieve and</td>
<td>1. Stop violent behaviour</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>SDG Goal</th>
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<tbody>
<tr>
<td>inequality within and among the country</td>
<td>sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average</td>
<td>against the tribals and the dalits when they raise their voices for their rights.</td>
</tr>
<tr>
<td><strong>Goal 16</strong> - Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</td>
<td><strong>16.6</strong>, Develop effective, accountable and transparent institutions at all levels</td>
<td>1. Concerned authorities should respond and take actions once claims are filed at individual level or at the level of the community, 2. Provide training to the FRC on forest rights act.</td>
</tr>
</tbody>
</table>

4.5 NATIONAL FOREST POLICY 2018: Perspectives from the ground level panel members

The section below summarises specific reflections of the GLP participants on the National Forest Policy 2018.

**Section 1 - Preamble**
1.1 Forests are a dynamic ecosystem consisting of plants, animals & microorganisms safeguarding the ecological security of the nation. Forests provide carbon neutral timber, non-timber products like medicines, grasses, & other ecosystem services essential for the very survival of the human beings.

**Reflections from GLP participants** - In addition to the importance of forests in terms of maintaining the ecological balance, forest land and forest produce have been the sole source of income for a section of people. We are highly dependent on the same for survival. There is a need to recognise the importance of forests from the perspective of forest dwellers and allow us to have access to them.

1.5 Hence there is a need to revise the National Forest Policy, 1988 in order to integrate the vision of sustainable forest management by incorporating elements of ecosystem security, climate change mitigation and adaptation, forest hydrology, participatory forest management, urban forestry, robust monitoring and evaluation framework and establishment of mechanisms to oversee multi-stakeholder convergence in forest management, while building on our rich cultural heritage of co-existence and relying on our rich and diverse forest resources.

**Reflections from GLP participants** – Participatory forest management would play an important role in helping us claim our rights, especially in exercising community forest rights. In terms of the need of robust monitoring system as well as need of mechanisms to oversee multi-stakeholder convergence in forest management, it needs to be noted that the functioning of gram sabhas, such as holding meetings, notifying community of the meetings, ensuring quorum of the gram sabhas as well as the formation of the forest rights committee is not in accordance to the mandates and requirements made by law and rules. There is also a lack of awareness about the responsibilities amongst the members of the gram sabhas, as well as the forest rights committee.
Section 2 - Objectives guiding the National Forest Policy

2.7 Safeguard forest land by exercising strict restraint on diversion for non-forestry purposes, and strict oversight on compliance of the conditions.

Reflections from the GLP participants – There are communities that have been using forest land for generations for the purpose of agriculture but they do not possess any documentary evidence to prove their dependence and usage over the land. Consequently, such lands are taken away and handed over to companies. Forest dwellers’ lands should not be handed over to companies.

2.14 Incentivize sustainability in community-managed, community-owned private forests and creating a sustained peoples’ movement for achieving these objectives.

Reflections from the GLP participants – Encouragement as well as incentives to provide sustainability in community-managed, community-owned private forests, and creating people’s movement seem to be a very far-fetched dream. Whenever there was an attempt from the side of the dalits, tribals to raise their voice while demanding their rights, they have been vulnerable to atrocities. The panel demands the need for protection of the community against any kind of atrocities, together with providing incentives to encourage creation and participation in people’s movements.

Section 3 – Essential Principles of forest management

3.6 Non-Timber Forest Produce (NTFP) such as medicinal and aromatic plants, oil seeds, resins, wild edibles, fibre, bamboo and grass etc. will be sustainably managed for improving the income of the tribals & other forest dependent populations.

Reflections from the GLP participants - Bans imposed on communities from collecting NTFPs have largely impacted livelihood. In addition, the ban has also placed an obstacle in observing traditional and cultural practices where the usage of these products is mandatory. The ban on sale of NTFPs should be lifted for forest dwelling/ forest dependant communities.

Section 4.1.1 – Sustainable Management of Forests

(d) Increase the productivity of forest plantations - Productivity of the forest plantations are poor in most of the States. This will be addressed by intensive scientific management of forest plantations of commercially important species like teak, sal, sisham, poplar, gmelina, eucalyptus, casuarina, bamboo etc.

Reflections from the GLP participants – The panelists demand that the plantation of teak, eucalyptus and chakunda trees should be stopped as plantations of these trees don’t allow the other vital indigenous plants and trees to grow. So forest plantations of the trees and plants mentioned above should be done only by keeping in mind the needs of the locals.

(h) Strengthen participatory forest management India has rich and varied experience in participatory forest management. There is a need to further strengthen this participatory approach, for which a National Community Forest Management (CFM) Mission will be launched. This mission will have a legal basis and an enabling operational framework. The national, state and local level development programmes shall be converged in these villages. All efforts to ensure synergy between Gram Sabha & JFMC will be taken for ensuring successful community participation in forest management.

Reflections from the GLP participants – There is a dire need to strengthen participatory forest management. While there are community forests in different districts the panel members hail from, there is not much awareness as to the procedure for claiming the same. After filing the claim, many
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do not receive any response as to the status of their claims and neither are the claims taken forward. The community forest rights should be given based on the community claims.

(i) Management of Non Timber Forest Produce Non-Timber Forest Produce (NTFP) such as medicinal and aromatic plants, oil seeds, resins, wild edibles, fibre, bamboo, grass etc. provide sustenance to forest dependent communities by supplementing their food and livelihood security. Such produce should be managed sustainably ensuring increased employment and income opportunities for the local communities. Value Chain approach that is climate-smart and market oriented and embedded in sustainability would be made compulsory and part of the business plans related to NTFP.

Reflections form the GLP participants – Restriction on plucking of mahua, neem wood and other forest produce that are used by the communities for own purposes as well as selling has hugely impacted the livelihoods of those who are highly dependent on them. The panellists demand the lifting of such ban and restrictions on the forest produce over which we have full rights. The panel also demands the availability of markets where this forest produce can be sold as these would be helpful and beneficial in making a living.

4.5 Research and Education Scientific research in forestry and wildlife is the back bone of forest management and contributes to understanding of the forest dynamics leading to pragmatic conservation planning. Forestry/ wildlife education has also been adopted by many institutions and the students graduating are finding several career opportunities within and outside government.

Reflections form the GLP participants – Many participants claim the forest officials as well as the members of the forest rights committee are not aware of their duties. A research on the status of discharge of functions by the responsible authorities would help in identifying the need of setting up a monitoring and supervisory body to ensure accountability. It would further be helpful in effective functioning of the concerned authorities as well as ultimately benefit the community.

4.6 Extension and awareness: Conservation and development of forest and related ecosystems cannot be effective without the willing support, involvement and cooperation of the people. It is essential, therefore, to inculcate in the people, a direct interest in forests, in their development and conservation. There is a need to make them conscious of the values of trees, wildlife and nature in general. This can be achieved through active involvement and participation of local governments, schools, colleges, NGOs, community-based organizations, eco- clubs, PSUs, corporate houses, trade unions and other institutions. Extension of forests, trees and wildlife and creating awareness regarding their importance will be encouraged. National and state awards will be instituted to recognize and reward exemplary work, both in the individual and institutional categories.

Reflections from the GLP participants – While awareness among schools, colleges, NGOs is crucial to understand the importance of forests, there is the need for awareness among forest communities and those who highly depend on the forest produce for their survival about the various rights, procedures to claim ones rights. Awareness of ones rights and the procedure to exercise these rights are the foundations to draw any kind of benefit from existing laws.

4.8 Legal and institutional frameworks: Appropriate laws, rules and regulations, as per requirement, will be put in place and existing ones suitably amended for effective implementation of this policy. Institutionalized legal support will form an integral part of the forest administration and management. A National Board of Forestry headed by the central minister in-charge of forests and State Boards of Forestry headed by state minister in-charge of forests will be established for ensuring inter-sectoral convergence, simplification of procedures, conflict resolution and periodic review.
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**Reflections from the GLP participants** In addition to checking the implementation of the current laws as well as formation of boards for conflict resolutions, there is also need to supervise the activities and behaviour of the forest officials, forest guards thus preventing them from misusing the provisions for their own benefits (for example, seeking bribes from the community, to allow them to access forest produce). Supervision over the activities of these officials would help to ensure transparency and promote accountability.

4.9 Training and Skill development: Stress will be given on training of frontline staff who are at the cutting edge of the forest department. The Directorate of Forest Education and various state training institutions will be strengthened for undertaking trainings for the field functionaries of the departments. Forest Skill Development Centres for skilling forest dependent population in forestry sector jobs will be instituted with the help of National Skill Development Corporation & State Skill Development Agencies. Further forum for interaction and collaboration would be set up for Forest based industries with forestry institutions so that a demand for trained professionals is created in the sector.

**Reflections from the GLP participants** – Discussions from the GLP participants clearly indicated the need for training of the members of gram sabhas as well as the members of forest-level committees on their duties as well as the mode of discharging duties. In addition, there is the need for training of the members of the forest rights committee on the importance of conservation as well as protection of the forests.

4.11 Harmonization with other policies and laws: Forests influence, and in-turn are influenced by activities and functions of different sectors such as Tribal affairs, mining, water, roads, tourism, agriculture, rural development, industry, irrigation and transmission lines etc. As far as community forest resources management under Forest rights Act is concerned, the new policy will address the same under participatory forest management and the same will be addressed through the proposed community forest management mission. It is also seen that the prescriptions under the farm forestry and urban greenings will ensure synergy with the existing agro forestry policy also. Necessary collaborative steps will also be undertaken to ensure that the policies, laws and programs of various sectors, both at Centre and State level are in harmony with the objectives of this policy.

**Reflections from the GLP participants** – Community forest management will play an important role in enabling the community to exercise their rights over their own resources. It would also further strengthen the community in fighting for their rights and entitlements. People are not aware about the provisions of community forest rights or the procedures to claim the same. Even after filing the claims, they are not informed about the status, because of which the community is left completely clueless and are hence denied entitlements.

4.13 Good governance: The public service delivery system will be strengthened by optimizing human resource availability at all levels, through massive capacity building efforts, reinforcing transparency and accountability measures, prompt grievance redressal and use of cutting edge technology. Institutional restructuring to enable effective implementation of this policy will be facilitated wherever needed. Human resource strategy for professional foresters and forest scientists will aim at attracting and retaining qualified and motivated personnel, keeping in view, particularly the arduous nature of duties often in remote and inhospitable places. Opportunities for professional growth and specialization will be provided and proper utilization of such specialization will be ensured.

**Reflections from the GLP participants** – Lack of transparency and accountability among the designated bodies is a common feature. There is the need to build a strong transparency and
accountability mechanism that can be helpful in ending discriminations and atrocities that the community has been vulnerable to as and when they voice for their rights as this would also be helpful in effective implementation of the laws that are already in place.

4.14 Implementation framework and way forward: This policy envisages that a national implementation framework be put in place to deliver on these policy commitments. States will also prepare an implementation framework. Such national and state level implementation frameworks would specify measurable targets, objectively verifiable indicators, financial allocations, time schedules etc. using the logical framework approach. It will also reflect learning from past experience, identify administrative reforms required, public financing needed, institutional design, human resource strategies, re-structuring of institutions and forest management at all levels and measures for improving institutional capacity.

**Reflections from the GLP participants** – Implementation framework would be helpful identifying the gaps in functioning and fulfilling of the duties by some of important bodies such as gram sabhas, forest rights committee.

### 5. Demands regarding FRA and forest produce in different locations

A summary of all the demands of the panellists are enlisted below:

1. **Forest Rights Claim (Individual and CFR claims):** The community forest rights should be given based on community’s claims, Individual forest rights should be provided to those who haven’t received it yet, nodal officer should provide a receipt once a claim is submitted, land demarcation should be done for those whose IFR claims have been received and accepted.

2. **The responsible authorities and government need to fulfill their duties:** There is a need for co-operation between the forest and revenue department. When the FRC sends notice for joint verification, government should provide trainings to the FRCs on forest protection, reasons from the department for not providing the CFR titles, interface meeting with revenue and forest departments for forest dwellers, the forest dwellers are entitled to receive ten acres of land however they are given much lesser and the land which the community has been using for a long time for cultivation should be handed over to them. They should also be provided with the entitlement in parallel to the FRA and fair price should be fixed for the NTFPs.

3. **Discrimination against Dalits and Adivasis:** The discriminations against the dalits and the adivasis should stop. They further shared that whenever they raise their voices for their rights and entitlements they are dismissed as “Maoists” and are discriminated against, threatened with death or the forest is set on fire thus creating huge losses to their livelihood as well as the ecology. Often, false cases are also filed against dalits and tribals if they raise their voice for demanding their rights.

4. **Allow access and usage of forest produce:** There is a need to the lift ban on accessing and usage of forest produce on which the community is highly dependant for their livelihood as well as for their daily needs. The usages of herbal medicines, as well as other forest produce which is a part of their culture and tradition should not be banned.

5. **Formation of regulatory bodies:** FRCs have still not been formed in some of the locations and there is a need to urgently do this as mandated by the law. The responsible bodies are found to be not necessarily discharging their functions properly and these responsible
bodies should carry out investigation and verification of the claim. Complete information should be provided to the community about the different provisions of FRA and their rights under the same and there should be participation of women in the FRC.

6. **Forest officials should fulfil their duties**: Forest department should stop misusing their powers by offering bribes to the community and stopping them from exercising their rights. Decision making power for forest produce should be given to the gram sabhas and forest dwellers should be provided with the right to access the forest land, the foresters should stop acting violent towards the dwellers and they should stop imposition fines on them. They must also stop planting eucalyptus and teak as they do not allow other plants to grow.
Annex 1: List of the panelist and the CLOs

<table>
<thead>
<tr>
<th>GLP 1: Kalahandi (Odisha)</th>
<th>GLP 2: Jhajha (Bihar)</th>
<th>GLP 3: Hazaribagh (Jharkhand)</th>
<th>GLP 4: Mahdupur (Jharkhand)</th>
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<tbody>
<tr>
<td><strong>Partner CLOs:</strong></td>
<td><strong>Partner CLOs</strong></td>
<td>1. Jharkhand Mahila Utthan,</td>
<td>1. Dr. Bhim Rao Ambedkar</td>
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<td>Education</td>
<td>2. Panah Ashram</td>
<td>3. Mahila Jagriti Trust,</td>
<td>Samiti,</td>
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<td>Awareness Growth Action</td>
<td>Manch,</td>
<td>5. Vikas Foundation</td>
<td>3. Astha Dalit Mahila,</td>
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<td>and Motivation,</td>
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<td>4. Lahanti.</td>
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<td>3. Biswanathpur Anchalika</td>
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<td>Unnayan Samiti</td>
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<td>4. Ama Jyoti Development</td>
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Demands of tribal ground level panellists in the context of the Forest Rights Act

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