

ISSN 0974-763X

SOUTH ASIAN JOURNAL OF MANAGEMENT RESEARCH (SAJMR)

Volume 14, No. 1

January, 2024



**Chhatrapati Shahu Institute of Business
Education & Research (CSIBER)**

(An Autonomous Institute)

University Road, Kolhapur-416004, Maharashtra State, India.

E-mail : editorsajmr@siberindia.edu.in

Website : www.siberindia.edu.in

SOUTH ASIAN JOURNAL OF MANGEMENT RESEARCH (SAJMR)

ISSN 0974-763X

(An International Peer Reviewed Research Journal)



Published by

CSIBER Press, Central Library Building

Chhatrapati Shahu Institute of Business Education & Research (CSIBER)

University Road, Kolhapur - 416 004, Maharashtra, India

Phone : 0231-2535706, 2535707. Fax : 0231-2535708

www.siberindia.edu.in, E-mail : editorsajmr@siberindia.edu.in

■ Chief Patron
Late Dr. A.D. Shinde

■ Patrons
Dr. R.A. Shinde
Managing Trustee
CSIBER, Kolhapur, India

■ **CA. H.R. Shinde**
Trustee Member
CSIBER, Kolhapur, India

■ Editor
Dr. Pooja M. Patil
CSIBER, Kolhapur, India

■ Editorial Board Members
Dr. S.P. Rath
Director, CSIBER, Kolhapur, India

■ **Dr. Deribe Assefa Aga**
Ethiopian Civil Service University, Addis
Ababa, Ethiopia

■ **Dr. Biswajit Das**
KSOM, KIIT, Bhubaneswar, India

■ **Dr. Yashwant Singh Rawal**
Parul University, Vadodara, India

■ **Dr. Yuvraj Sunecher**
University of Technology, Mauritius

■ **Dr. Ravinthirakumaran Navaratnam**
University of Vavuniya, Sri Lanka

■ **Dr. Nyo Nyo Lwin**
Yangon University of Education, Myanmar

■ **Dr. Needesh Ramphul**
University of Technology, Mauritius

■ **Dr. K. Arjunan**
University of Vavuniya, Sri Lanka

■ **Dr. Amitabye Luximon-Ramma**
University of Technology, Mauritius

■ Superintendent
Mrs. Maithili Santosh
CSIBER, Kolhapur, India

■ Type Setting & Formatting
Mr. S. Y. Chougule
CSIBER, Kolhapur, India

Editorial Note

South Asian Journal of Management Research (SAJMR), is a scholarly journal that publishes scientific research on the theory and practice of management. All management, computer science, environmental science related issues relating to strategy, entrepreneurship, innovation, technology, and organizations are covered by the journal, along with all business-related functional areas like accounting, finance, information systems, marketing, and operations. The research presented in these articles contributes to our understanding of critical issues and offers valuable insights for policymakers, practitioners, and researchers. Authors are invited to publish novel, original, empirical, and high quality research work pertaining to the recent developments & practices in all areas and discipline.

Cross-functional, multidisciplinary research that reflects the diversity of the management science professions is also encouraged, the articles are generally based on the core disciplines of computer science, economics, environmental science, mathematics, psychology, sociology, and statistics. The journal's focus includes managerial issues in a variety of organizational contexts, including for profit and nonprofit businesses, organizations from the public and private sectors, and formal and informal networks of people. Theoretical, experimental (in the field or the lab), and empirical contributions are all welcome. The journal will continue to disseminate knowledge and publish high-quality research so that we may all benefit from it.

Dr. Pooja M. Patil
Editor

South Asian Journal of Management Research (SAJMR)

Volume 14, No. 1

January, 2024

C O N T E N T S

Editorial Note

- Knowledge, Attitudes and Perceptions towards COVID 19 Vaccinations of Healthcare Professionals' Working in the Yeka and Kotebe Health Centers, Addis Ababa, Ethiopia**
Mr. Daniel Fikre 01
Addis Ababa University (AAU), Addis Ababa, Ethiopia, Africa
Prof. Fikre Dessalegn
Ethiopian Civil Service University, Addis Ababa, Ethiopia, Africa
- Enhancing the Fight against Human Trafficking in Mauritius: Insights from the 2023 Round-Table Discussion on the National Action Plan**
Mr. Viraj Fulena 14
Lecturer in law, University of Technology, Mauritius
Mrs. Bhavna Mahadew
Lecturer in law, University of Technology, Mauritius
Prof. Dr. Hemant Chittoo
Professor in Public Policy and Management, University of Technology, Mauritius
- Enigma of Forest Rights in India**
Dr. Pawas Suren 17
Assistant Professor, Rural Management Programme, Xavier Institute of Social Service, Ranchi, India
- India in the Development Assistance Global Landscape: Reflections from the Caribbean Sub Region.**
Dr. Dianna DaSilva-Glasgow* 29
Senior Lecturer, Department of Economics, Faculty of Social Sciences, University of Guyana, South America
Mr. Dennis Pile
Lecturer 1, Department of Economics, Faculty of Social Sciences, University of Guyana, South America
- Clicks to Carts: Social Media's Influence on Mauritian's Buying Habits**
Dr. Eric BINDAH 40
University of Mauritius, Mauritius
Miss. Leenshya GUNNOO
University of Technology, Mauritius

The Mind behind Success: Unveiling Entrepreneurial Psychology through Expert Insights

Dr. Mamata Mahapatra

Professor, Amity Institute of Psychology and Social Sciences, Amity University, Noida, India

Miss. Surbhi Jain

PhD Scholar (2021-2024), Amity Institute of Psychology and Social Sciences, Amity University, Noida, India

Miss. Deepti Moar

Ph.D. Scholar(2023-2026), Amity Institute of Psychology and Social Sciences, Amity University, Noida, India

65

An Analysis of Mauritius's Covid-19 (Miscellaneous Provisions) Act 2020 in Light of the Post-COVID-19 New Normal and its Implications for Business Excellence

Mrs. Bhavna MAHADEW

Lecturer in law, University of Technology, Mauritius

75

Job Crafting and Job Attitudes: A Study of Individual Outcomes

Mrs. Madhura Mane*

Assistant Professor, MBA Dept. CSIBER, India

Dr. Bindu Menon

Associate Professor, MBA Dept. CSIBER, India

Mrs. Anuradha Gaikwad

Assistant Professor, MBA Dept. CSIBER, India

82

Pervious Concrete for Rainwater Harvesting: A review

Miss. G. D. Mali

Assistant Professor, Department of Civil Engineering, PadmabhooshanVasandraodada Patil Institute of Technology (PVPIT), Budhgaon, Sangli, India

Miss. Geeta Kharade, Mr. Mayur Pawar, Mr. Raviraj Satale,

Mr. Shreyas Kore, Miss. Sonali Katare, Miss. Varsha Patil

B. Tech Students, Department of Civil Engineering, Padmabhooshan Vasandraodada Patil Institute of Technology (PVPIT), Budhgaon, Sangli, India

88

Enigma of Forest Rights in India

Dr. Pawas Suren

Assistant Professor, Rural Management Programme,
Xavier Institute of Social Service,
Ranchi, India

Abstract:

The Forest Rights Act, 2006, came into effect on December 31, 2007, and for the purpose of implementation Forest Right Act Rules, 2008, was notified on January 1, 2008. Both the Act and the Rules did not come with the implementation deadline. The historical injustice with forest dwellers is deep rooted in the institutional frameworks and layered within social, political and economic inequities. Consequently, the Forest Rights Act and the Forest Rights Act Rules countering previous acts and legislations brought more confusion in the management and the governance of forests than clarity. Evidently, implementing agencies lacked the capacity and the expertise to implement it effectively and smoothly. Nevertheless, the steadfastness for justice can be determined by how well adaptations were made to the challenges that emerged from the implementation of the Act. Who has the higher stake in conserving forests and who pays the price for development. In the quest for sustainability, the rights of 275 million people living in and around forest areas are being lost in the midst of politics of development and politics of conservation.

Key Words: Forest Rights; Justice; Conservation; Governance; Development

Embodiment of Forest Rights Act, 2006

In response to Dr. B. D. Sharma's Twenty-Ninth Report of the Commissioner Scheduled Caste & Schedule Tribe, submitted in 1990, the Ministry of Environment, Forest and Climate Change (MoEF&CC) released comprehensive orders to regularize legitimate forest occupants and settle claims over the disputed forest settlements, and on the same note the Supreme Court (SC) in 1995 directed the state governments to follow Government's instruction and decide on peoples' claims (Scheduled Areas and Schedule Tribes Commission, 2004; Dreze, 2005). However, as the Bhuria's report suggests, before the orders could be implemented, the SC reverted its decision in favor of the avaricious planters looking for a quick gain. On May 3, 2002, Dr. V. K. Bahuguna, Inspector General of Forests, enjoined orders to evict 10 million encroachers from at least 1,250,000 hectares (ha) in a time bound manner by September 30, 2002 (Ministry of Environment and Forest, 2002a; Dhavan, 2002). The directive cited the concern of the SC's order of November 23, 2001 in IA No. 703 in WP No. 202/95 on the pernicious practices. Modern computerized legal search fails to trace any such order of the SC. Bijoy (2003) inferred it as a deliberate, dangerous and false interpretation made by the Forest Department (FD) to evict encroachers on the basis of the order of November 11, 2001 that instructed nine states to prevent further encroachment on forest land.

To implement the wrongly interpreted court orders, committees were constituted at the Forest Circle Level and monitoring committees were set up at the state level. Consequently, a large scale eviction drive became the headlines in the national news. The drive faced colossal resistance, and political parties started warming up for a new political agenda. Thereupon, in response to the Writ Petition (Civil) No. 202/95 and 171/96, the MoEF&CC set up the Central Empowered Committee on September 17, 2002 under the Chairmanship of P.V. Jayakrishnan (Ministry of Environment and Forest, 2002b). Noted lawyer Rajeev Dhavan asserted that the Jayakrishnan Committee was being pretentious and ignorant about the previous commitments of the ministry and the alleged Rs. 4.5 trillion loss to the nation over the period of 50 years due to tribals in forests as a fabricated figure (Dhavan, 2002). During the 2004 general election, both the Indian National Congress and the Bharatiya Janta Party (BJP) promised to enact tribal rights in forest areas. Congress led United Progressive Alliance (UPA) came into power and tribal rights over forests were included in the National Common Minimum Programme (CMP). On the recommendation of the Prime Minister Office (PMO), the Ministry of Tribal Affairs (MoTA) presented the draft bill in the Parliament in March 2005. A Joint Parliamentary Committee (JPC) having 30 members from different parties was set up to make it a comprehensive legislation. The revised draft was put to the Parliament in May 2006 and after several changes, the Schedule Tribes and Others Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, got approved the same year in December. In short, the Act is known as Forest Rights Act (FRA).

Nature of Rights in Forest Rights Act

FRA commissioned thirteen bundles of rights in the form of Individual Forest Rights (IFRs), Community Forest Rights (CFRs) or both. These rights allowed tribals and other forest dwellers to hold and live in forest land, use land for habitation and self-cultivation, and use forest resources for livelihood. These rights have been granted with the power to regenerate, conserve and manage forests while protecting wildlife and biodiversity. Having the right to hold forest land separates IFRs from CFRs. Both IFRs and CFRs are inalienable in nature. However, the provisions under CFRs are diverse and have far reaching ramifications on a community's access to forest resources, its role in forest management and its benefit in food and livelihood security. CFRs are the rights franchised by the settlers in and around the forest area or herdsmen and seasonal migrators for grazing and collecting Non Timber Forest Produce (NTFP) or those who sporadically access forest resources during disasters. CFRs are assigned under the broad areas of rights recognized as there is no mechanism to record every detail of the rights recognized.

For IFRs, the land must have been under the possession of an individual, family or the community at the commencement of the Act and must be confined to the actual area under possession and in no way outstrip 4 hectares (ha). The area of 4 ha is inclusive of self cultivation and allied activities such as cattle rearing, post harvest activities, tree crops and rotational fallows. The land granted is heritable, but not alienable or transferable. It is registered jointly in the name of husband and wife, and in the name of single head where a family is headed by a single person. When the family of the title holder does not have an inheritor, the inalienable right goes on to the next-of-kin. All the titles given under FRA are legal titles with deeds bearing ownership and other rights over forest resources that are cognizable or enforceable in the court of law.

Institutional Framework of FRA

The FRA laid down the procedures to empower the existing as well as newly formed institutions. At the first line of implementation towards the grassroots are Gram Sabhas (GS) that commence the process of accepting, amalgamating and validating claims. The GS is supported by the Sub-Divisional Level Committee (SDLC) that scrutinizes GS's resolutions, prepares a Record of Rights (ROR) and maps related to claims. The SDLC forwards it to the next higher level, the District Level Committee (DLC). The District Level Committee reexamines the claims and gives final verdict on the acceptance or rejection of claims, and ensures GSs with necessary support to carry out its functions. State Level Monitoring Committees (SLMC) monitor the implementation of FRA throughout the state. The Tribal Department is the nodal agency in the state and the state government appoints a nodal officer. At the national level, MoTA is the nodal agency.

Gram Sabha

Based on Article 243(b) of the Constitution of India, GS is a Constitutional Body of persons registered in the electoral rolls within a village falling under a village level Panchayat. This means there are several GSs within a Village Level Panchayat or Gram Panchayat. GS is a primary institution that determines the attributes of IFRs and CFRs, and constitutes a Forest Rights Committee (FRC) to authenticate claims. The FRC is elected by GS in the first meeting convened by the Gram Panchayat. FRC consists of ten to fifteen persons, where not less than two-third members are Schedule Tribes (ST)— if present— and not less than one third members are women. Upon GS's call, FRC receives and acknowledges claim applications in the prescribed format. In addition, FRC prepares CFR claims on behalf of GS. It's the responsibility of GS to form committees for the protection of wildlife, forest and biodiversity. GS also monitors and controls committees formed to prepare conservation and management plan for the sustainable and equitable use of community forest resources. However, it is necessary to integrate the conservation and management plan with FD's micro plan or working plan.

GS finalizes the decision made by the committee issuing transit permits and plans the expenditure of the amount derived from the sales of forest produce, and considers resettlement packages under free informed consent. The proceedings of GS take place in the presence of at least one half of its members with one-third women's representation. Decisions of GS in the matters of forest rights should be in the presence of not less than 50% of the forest right claimants or their representatives. The outcomes of the meetings of GS must be based on a simple majority of the people present and voting. Although there's no specified time limit for receiving claim applications, it's desirable that such claims be made within three months or as specified by GS, giving reasons for extension.

Sub-Divisional Level Committee

SDLCs are constituted by respective state governments and members include Sub-Divisional Officer or an equivalent as Chairperson, Forest Officer in charge of the subdivision or an equivalent officer as a member, three members of Block or Tehsil level Panchayat, and an officer of the Tribal Welfare Department. Members of block or Tehsil level Panchayat are nominated by District Panchayat, where two members are preferably forest dwelling STs and one of the three members is a woman. Similarly, in Sixth Schedule areas, at least one out of three members nominated by the Autonomous District Council or Regional Council is a woman. In municipal areas, nominations are done by municipality. It's SDLC's primary responsibility to make GSs aware of duties and responsibilities in using forest resources, and provide forest maps, revenue maps and electoral rolls. The onus of free, open and fair decisions in GS is on SDLC.

District Level Committee

DLCs are established by respective state governments and have District Collector or Deputy Commissioner as Chairperson, Divisional Forest Officer or Deputy Conservator of Forest as member, three members of District Panchayat, and an officer or officer in charge of the Tribal Welfare Department. The DLC's nominated members from District Panchayat in Sixth Schedule areas follow the same procedure as SDLC's nominated members in Sixth Schedule areas. DLC ensures that responsibilities of SDLC are performed profusely, especially those towards primitive tribal groups, pastoralist and nomadic tribes. DLC in coordination with other DLCs resolves inter-district claims. Certified copies of titles under IFRs to the concerned claimants and GS, and certified copies of the titles under CFRs to the concerned GSs are issued by DLC. It's empowered to issue directives to consolidate forest rights in government records together with Record of Rights (ROR).

State Level Monitoring Committees

FRA mandates state governments to constitute SLMC under the chairmanship of Chief Secretary, Commissioner of Tribal Welfare or equivalent as Member Secretary, Secretary of Revenue Department (RD) as member, Secretary of Tribal or Social Welfare Department as member, Secretary of FD as member, Secretary of Panchayati Raj as member, Principal Chief Conservator of Forest as member, and three nominated ST members from Tribes Advisory Council, nominated by Chairperson of the Tribes Advisory Council or else three ST members nominated by the State Government. It's the prime obligation of SLMC to come up with criteria and indicators to oversee the process of recognizing, verifying and conferring forest rights. The SLMC takes cognizance of offences and contraventions of the provisions of FRA committed by any officer or authority or committee and proceeds against and punishes by fine up to Rs. 1,000. Besides rehabilitating illegally evicted forest dwellers before the commencement of FRA, the SLMC also monitors the modification of forest rights recognized in critical wildlife habitats of National Parks and Sanctuaries and subsequent resettlement as per the procedures established in the Act. SLMC meets at least once every three months to monitor and discuss the implementation of FRA, and provide quarterly reports to the Central Government. The quarterly report contains details of claims approved, claims rejected and pending claims. However, the status report of FRA on MOTA website shows that out of the 36 states and Union Territories (UT), the nodal agency has updates from only 23 states in which the status of 5 states are incomplete.

Implementation of FRA: Recognition and Vesting of Rights

As per FRA, a forest dwelling ST is eligible only when he/she: (i) belongs to a ST; (ii) had been residing in forest or forest land prior to December 13, 2005; and (iii) had been depending on forests for legitimate livelihood needs. In case of Other Traditional Forest Dwellers (OTFDs): (i) any member of the community must have resided in the forest land for three generations (75 years) before December 13, 2005; and (ii) must be depending on forest for bona-fide livelihood needs. For determination, any or two evidence from a broad range of evidence specified in Rule 13 of FRA, which includes government receipts, maps, census data, physical evidence and *nistar*¹ rights and even a simple statement of elders except the claimant. The provision of 75 years is not mandatory in many cases, especially in the case of migrating communities and in forests and forest lands that were notified as forest during the 1950s. FRA confers equal status to forest dwelling STs and OTFDs.

After receiving claim forms, FRC intimates the concerned claimant, FD and RD for site visit and recording evidences to substantiate claims. It's ensured that pastoralists, nomadic tribes, primitive tribal groups and pre-agricultural community rights are verified in the presence of their members, recorded appropriately with recognizable landmarks and delineated on map showing forest resources and customary boundaries. After receiving the receipt of FRC findings, GS takes decision and communicates the same to SDLC. In case of rejection or modification of claims by GS or SDLC, the claimant must be communicated in person. The decisions of GS as well as SDLC are subject to appeal. When SDLC or DLC concludes that GS's decision is incomplete, it's remanded back to GS for reconsideration. Anyone aggrieved by the decision of GS may file a petition to SDLC, preferably within sixty days of the pronouncement made by GS. Likewise, any person aggrieved by the decision of SDLC may approach DLC within sixty days from the date of decision taken by SDLC. Decisions of SDLC and DLC concerning revision or rejection of GS's decision or rejection of SDLC's decision by DLC bear detailed explanation of modifications and rejection. If an objection is made by any other state agency, the appeal is decided by SDLC or DLC in the absence of the concerned state agency representative. The settlement finalization process follows creation of a map — jointly by RD and FD — assimilating forest rights in revenue records, where forest land is under the control of RD, and in forest records where forest land is under FD, latest within three months. The FRA process gets complete only after the creation of Record of Rights (ROR) in the Government books of records. When individual land rights and conversion of villages in the forest land to revenue village is under the administrative control of FD, entry of rights in the revenue records is mandatory. Title document received by beneficiary has meticulous details of forest rights bestowed. Furthermore, the final document received for IFRs should also contain survey number/*Khata* number of the land. The verdict of DLC on ROR is final and binding. In case of rejection of claims by DLC, reasons are provided to the claimant so that other legal course can be opted, such as the writ jurisdiction of the constitutional courts.

FRA was implemented without a cutoff date as it would have been tantamount to penalizing forest dwellers for the failure of state mechanism. Many state governments, especially ten states with notified Fifth Schedule areas and four Northeast states under Sixth Schedule, either felt FRA as irrelevant or had no inkling about how to apply it. Even though state governments constituted SLMC, DLCs, and SDLCs, the GSs were defined at Panchayat level rather than at revenue village level, or as defined under the Provisions of Panchayats (Extension to the Schedule Areas) Act 1996 (PESA) in the Fifth Schedule areas. The size of GS at the Panchayat level made attaining a meeting quorum difficult and functioning of FRC impractical. In the absence of vital clarification and guidelines, several SLMC and nodal agencies issued unlawful deadlines and forced DLCs to issue titles relying on satellite imagery. Undoubtedly, it demonstrated insufficient readiness and absence of schooled staff. In many states, the nodal Tribal Departments were a nominal Head as they had weak infrastructure and no prior experience in handling such settlements, and its obligations were transferred either to RD or FD as added responsibilities.

Implementation of Individual Forest Rights

The implementation of IFRs showed incidences of forged claims on the basis of encroachments made after the enactment of FRA. At places there were instances of wrongful rejections, without explanations and proper communication to claimants, due to wrong interpretation of different sections, such as 'dependence' clause and the meaning of OTFDs. In sixteen years after the enactment of Act, forests, dwellers' claims are not being accepted at sites for development projects and in other places forest dwellers are being harassed and evicted. (Ministry of Tribal Affairs, 2012; Menon, 2018).

The monthly update on the status of FRA implementation, for the period ending June 30, 2023, shows that the highest number of 4,57,145 individual titles have been distributed in Chhattisgarh, followed by Odisha and Madhya Pradesh. In terms of extent of forest land in which IFRs have been given, the highest figure is for Chhattisgarh with 3,72,037.28 ha followed by Madhya Pradesh and Odisha (Ministry of Tribal Affairs, 2023). During the same period, across India, 2,201,842 individual titles were distributed out of 4,368,025 individual claims received, with overall 50.41% claims approved, making it 2.7% of the total forest cover in India (Ministry of Environment, Forest and Climate Change, 2023).

Implementation of Community Forest Rights

Implementation of CFRs dragged on in the beginning as is evident from the past years record of titles distributed. CFRs are included in section 3 (1) of FRA, recognized and vested upon village communities and franchised by its members. CFRs include traditional or customary boundaries of the village, including seasonal use by pastoralists, even if such traditional and customary forests have been declared as protected

areas (Ministry of Tribal Affairs, n.d). CFR titles are issued to a GS that register claims. Undoubtedly, the root of historical injustice, non recognition of customary practices, undocumented rights and unavailability of recorded rights made CFR implementation difficult. When FRA was implemented, development rights under 3(2) were considered as CFRs at many places. In other places, *nistar* rights and Joint Forest Management (JFM) were assumed to fall under CFRs. It wasn't clear how Forest Villages (Van Panchayats) and the Chota Nagpur Tenancy Act, 1908, (CNT) would be dealt under FRA. Like IFRs, CFRs were also denied in areas demarcated for developmental projects and areas that lay within critical wildlife habitats.

FRA Rule ensures forest right holders get post claim support through state governments in facilitating government schemes for basic amenities, livelihood, land improvement and land development. These development rights can be exercised even before or during the process of vesting forest rights. The financial needs of state governments towards implementing CFRs can be partially or wholly met through grants under Article 275 (1) of the Constitution of India, Special Central Assistance (SCA) to Tribal Sub Plan (TSP), Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MNREGA), forestry funds available with Gram Panchayats, funds under Compensatory Afforestation Management and Planning Authority (CAMPA) and fund of the District Mineral Foundation (Ministry of Tribal Affairs, 2017b). Chhattisgarh is leading in the distribution of CFRs titles with 45,965 titles, followed by Madhya Pradesh, Maharashtra and Odisha (Ministry of Tribal Affairs, 2023). In terms of the extent of forest land for which titles were given to communities, Chhattisgarh is leading with 2,002,064.70 ha, followed by Maharashtra and Madhya Pradesh (Ministry of Tribal Affairs, 2023).

Forest Villages

Forest village settlements were settled by FD for laborers engaged in forestry works. These villages were established for colonial commercial forest management and dates back 80 to 90 years. Residents of these villages had wage works for several months of the year. FD allotted them land for subsistence cultivation, allowed collection of MFP and other forest produce for domestic consumption. After the ban on felling and decrease in commercial exploitation, such villages have been facing crunch in employment opportunities. The exact number of such villages is unknown. Lives in these villages were adversely impacted with the enactment of the Wildlife Protection Act, 1972. These villages have remained inhabited and are being cultivated for decades, but the land is recorded as forest land in government records. The attempts made by the government during the 1970s were curtailed by the enactment of Forest Conservation Act, 1980. As these villagers lack titles, they have been denied bank loans, domicile certificates, caste certificates, housing benefits and many others. At places, forest villages have been treated as a regular village under FRA, while in most cases their rights have been denied. It's the responsibility of the district administration in association with Panchayati Raj Institutions to identify such forest villages, *taungya* (Taungya system is a form of agroforestry which started in Burma in 1856. It's a system to grow forest crops along with agricultural crops. It was used to grow forests where farmers could grow crops for the first few years and they had to raise forest plantation in return) villages, hamlets, unsurveyed or unrecorded settlements and convert into revenue villages.

Particularly Vulnerable Tribal Groups

Within STs, there're economically unsound communities with poor literacy, using pre-agricultural technology and whose population is either declining or stagnant. There're 75 such Particularly Vulnerable Tribal Groups (PVTGs) residing in 18 states, and union territory of Andaman and Nicobar Islands (Ministry of Tribal Affairs, 2019). The baseline survey exists for about 40 groups, and there're no national level data on the status of FRA implementation and PVTGs (Ashoka Trust for Research in Ecology and the Environment, 2016). The conditions with Nomadic Pastoral Communities and Shifting Cultivation Communities are quite similar. Odisha having highest number of PVTGs is the only state to show considerable progress in it. The fundamental issues with PVTGs are their habitat rights, which have been denied due to the lack of knowledge and the broad definition of habitat in the Act itself. Many nomadic and shifting cultivators lost their traditional institutions because they were coercively made to settle down with the Panchayat system imposed on them. Provisions for recognizing such institutions in FRA exist for areas not falling under Panchayats. The MoTA clarified in April 2015 with letter No. 23011/16/2015-FRA that habitats and habitation of PVTGs over customary territories includes spiritual, sacred, religious, economic, social and many more (Ministry of Tribal Affairs, n.d). Therefore, habitats of PVTGs can be spread over notified forests as well as revenue lands under the broader definition of forest or under the provisions of PESA. The puzzle remains how to restore traditional, customary governance and management systems of PVTGs within the system of Panchayats.

Forest Rights Act and Development

In the last fifteen years, the total forest land diverted for non-forest purposes is more than 300000 ha (The Times of India, 2023). Despite section 4 (5) of FRA and the directions issued by the MoEF&CC, vide letter No. 11-9/1998-FC, forest dwelling STs and OTFDs are being evicted at many places without the settlement of forest Rights (Ministry of Environment and Forest, 2009; Chandra, 2019). The directions issued by MoTA, bearing No. 23011/18/2014-FRA, in the month of August and October 2014 asserted that the accord of GS is important for diversion of forest land for non-forest purposes or development projects as the power to preserve and manage forest vests upon GSs, otherwise it would quash section 5 of FRA (Ministry of Tribal Affairs, 2014a, 2014b). Even in 13 categories of developmental initiatives under section 3 (2) of FRA, the recommendation of GS is required, provided that such initiatives acquire less than 1 ha of forest land and need not require felling of more than 75 trees (Ministry of Tribal Affairs, 2009).

As per FRA Section 4(7), forest rights prevail over all encumbrances and procedural requirements, even clearance under Forest (Conservation) Act, 1980, with payment of Net Present Value (NPV) and compensatory afforestation for diversion of forest land, except the conditions stipulated in the Act. Thus, compliance with FRA is binding before forest land can be diverted, and in conformity with the Supreme Court's Judgment in the *Godavarman Case*. In contempt of FRA, there are 26 incidents across 11 states where land is acquired by the government for developmental projects using unlawful means (IndiaSpend, 2018). The major purpose of diversion is mining, followed by road construction, irrigation, transmission lines, defence, hydel projects, railways, thermal power and wind power infrastructure (The Times of India, 2023). FRA is not an impediment for developmental projects, but emanates democratic decision making with the involvement of forest dwellers towards inclusive growth.

Minor Forest Produce

Justice to historical injustice is incomplete without addressing Minor Forest Produce (MFP)/ Non Timber Forest Produce (NTFP). More than 275 million people living in and around forest earn a considerable portion of livelihood from collection and sale of NTFP (Food and Agriculture Organization of the United Nations, n.d). The Indian Forest Act, 1927 defined 'forest produce', FRA took a step forward to define MFP as a subset of forest produce and included bamboo and cane. PESA had the provision of sanctioning Panchayats and GSs in Schedule Areas with ownership of MFP, but was never implemented before the enactment of FRA. PESA and FRA are harmonious, and FRA extends the benefits to forest dwellers in Non-Schedule areas with written titles. Forest settlements partially done in some states both during pre and post-independence periods lacked documentary proof. The various provisions of FRA, especially Section 3 (1) (j) and (i) mandate acceptance of forest rights recognized under state laws as well as traditional customary rights. Hence, CTA and Santhal Pargana Tenancy Act, 1949, (SPT) and states under Sixth Schedule have special laws executed by Autonomous District Councils, are all limited in FRA.

FRA bestows ownership rights over MFP to forest dwellers when appealed. The notion of ownership in PESA and FRA is different from the notion of private property. Here, individual rights are embedded within the rights of GS. GS or the committee delegated by GS is empowered to take decisions on MFP with the underlying principle – maintaining the sustainability of forests such that no produce goes out of the village without satisfactorily meeting community needs. Ownership of MFP means collection, use and disposal of MFP, including bamboo, kendu leaves and other nationalized forest produce under state laws. The tribes in Madhya Pradesh, Chhattisgarh, Jharkhand, Odisha, Maharashtra and Andhra Pradesh collect 70% of the estimated collection potential of NTFP, earning 20% to 40% of their annual income (Sahu, 2021). The estimated MFP production potential value is Rs. 40 trillion, some even claim upto Rs. 60 trillion (Ministry of Tribal Affairs, n.d.).

It's indispensable that state policies be deregulated and straightened to trigger the spirit of FRA, giving forest rights holders or their cooperatives full freedom to take individual or collective processing and value addition of MFP and market the same for livelihood, even doing away with GS's permit. Extraction of any type of royalties by GSs on MFP ultra vires FRA. In May 2023 MOTA announced inclusion of 23 MFP in minimum support price (MSP) list, enhancing the coverage from 50 to 73. Despite MSP, developing value chain for MFP remains a challenge as MFP has been a major source of revenue for FD across all states, more than timber (Mahapatra et al., n.d.). CFR and MFP engage into tenacious discussions on sustainability, especially with the outburst in the trade of NTFP, and technical limitations in determining the replenishment

rate of the present resource levels with multiple species under consideration. A game plan used by FD to regulate MFP.

Forest Governance

Redressing historical injustice needs a shift in the power dynamics amongst key players, changing institutional framework arrangements, thereby inducing change in forest governance. Before 1865, forests in India were majorly an open access resource. The Government Forest Act, 1865, brought a range of injunctions on access to forest. The Indian Forest Act, 1878, demarcated forests as Reserve Forests, Protected Forests and Village Forests. In Protected Forests, that cover maximum geographical area, rights and privileges were recorded, but not settled. Till independence, a series of legislations were passed and customary traditions were restrained to privileges. Independent India reconsidered the British Forest Policy and doubled the recorded forest area to 71.8 million ha and further suppressed privileges of the forest dependent communities to concessions. Specifically, the 42nd Amendment of the Constitution of India, followed by the Forest Conservation Act, 1980, cast away forest dependent people not having recorded rights as encroachers.

Both during pre-independence and post-independence periods, the prologue of community involvement in forest management was legally recognized in parts of Jharkhand, Van Panchayats in Uttarakhand, and the North Eastern States. Besides, there have been thousands of unrecognized initiatives of the 'community' viz., community managed forests in Odisha and Sacred Groves in different parts of India. However, the most important step towards involvement of communities in forest management was the Joint Forest Management (JFM) in the 1990s. JFM was started to manage degraded forests. Other such programmes include, Social Forestry projects funded by the World Bank, Swedish bilateral agency and the British ODA during the mid 1980s, but were limited to afforestation and farm forestry on revenue lands.

Presently, there are more than 118,000 JFM Committees, managing forest cover over 22 million ha (Forest Research Institute, 2011). In 2002, MoEF & CC extended JFM to cover dense forests. Though some areas of JFM and CFRs overlap, it teaches important lessons on forest governance. Assessments of JFM Committees show strengthened protection of forests and augmented availability of MFP. At places, it regenerated degraded forests and increased fuelwood supply. Through MNREGA, JFM projects provided employment for a considerable number of days. JFM increased forest conservation and management value within the community. Contrary to these positives, JFM has its downside. Everyday decisions are influenced by forest officers, generally ex-officio secretary of the committee. Important decisions regarding plantation and harvesting are controlled by FD. Decisions on silvi culture are taken by FD, whose interest is in fast growing exotic species, quenching the interest of grazers, MFP collectors, and fuelwood seekers. At many places, JFM plantations took place in community resource areas. Traditional and informal community forestry institutions were negatively impacted as customary rights are not recognized under JFM. Individual needs are suppressed by elites, whose interest in increasing profit from commercial timber matches to that of FD.

Communities have shares in JFM during thinning and final felling. It's upto 20% of the revenue from the final harvest, only if community has satisfactorily protected forest for 10 years (Ministry of Environment and Forest, 2014). However, there have been instances when assured shares were denied. JFM lacks legal support as they are implemented under executive orders. The Memorandum of Understanding (MoU) between FD and community is for 5 years and can be revoked without due process, while indigenous trees take longer time to mature. Rights given under JFM are not statutory. Conclusively, JFM offers less freedom of choice for communities and is non-transparent.

FRA changed power dynamics between FD and community and gave CFRs over 40 million ha. Under JFM, gains to the community is some share in the forest produce. FRA grants ownerships and entitlements with substantive statutory rights under Central Legislation. JFM and CFR are not co-terminus. CFR acknowledges traditional boundaries and customary practices, whereas JFM committees are in accordance with FD's working plan. It's the ascendancy of GS to nominate members of JFM Committee in the committees formed under FR Rule 4 (1)(e), it is neither required nor desirable because the objectives, structure and mandate of JFM are different. JFMs were created at the Gram Panchayat level, consisting of more than one GS, it is impractical to convert JFM committees into committees under FR Rule 4(1)(e).

An in depth review of the functions of FD includes protection, conservation and development of forests. Protection means protection of forest, wildlife and natural-ecosystem from damage, fire, theft, misuse and degradation. Preservation encompasses conservation of soil, water and biological diversity. Development

deals with enriching present forest and increasing their productivity through carrying out need based plantation for fuel and fodder, construction and maintenance of roads, administrative and residential buildings, transport and communication systems for the management, and maintaining mechanized units of logging. It's the core of FD to scientifically manage forests through working plans to improve forest ecosystems, manage catchment areas of watersheds, regenerate degraded forest lands and wastelands. It regulates the rights and concessions of local communities within the extent of carrying capacity of forests. FD ensures development of farm forestry and social forestry outside reserve forests and carry out replenishment of degraded forests with indigenous species having established ecological values. The department is expected to invest on adoption of advanced technologies, and research and development. It carries out research on silviculture, ecology, seed and seedling production, regeneration, pathology and other fields of forestry. It's the responsibility of FD to train foresters in professional matters and scientific disciplines, and spread awareness in community to make better use of degraded forests in terms of land use for crops, fuel, fodder and raising cattle. FD undertakes systematic surveys to build an adequate database necessary for forest management.

FRA has axiomatically not changed the forest governance. There is no absolute method to assess the total number of potential claimants in every state, especially when statistics differ in government records itself. If the minimum estimated potential forest area to fall under CFRs is 40 million ha, and the extent of forest lands for which titles were distributed till June 30, 2023 is 5,274,679.31 ha, then only 13.18% of the minimum potential of CFRs has been utilized (Rights and Resource, 2016; Ministry of Tribal Affairs, 2023). The two popular reasons cited for the poor implementation of CFRs are: (i) loss of revenue to FD; and (ii) CFRs challenges the supremacy of FD. The revenues earned by FD are credited to treasury or sub-treasury as revenue deposit. It does not directly flow back into the resource development of FD and it's not shared with local communities except for community's conditional share in JFM. Therefore, neither it benefits any vested interests of FD nor community, except in corruption cases during auctioning and tenders made by FD.

Questioning FD's supremacy is not simple as it questions the integrity of FD and government's commitment. A closer look at the structure and functioning of FD reveals that it has a bigger role to play in the management and sustainability of forest, and a narrow look at FRA makes FD only a spectator to the decisions of GSs. The experience of JFMs shows disjointedness between FD and community, but CFRs and FD are seemingly paradoxical. JFM reveals elite capture, a problem to which GSs are not immune. A distinction is required in the present day decentralized forest governance where GSs have ownership rights over forest produce, usufruct rights over other resources and the power to protect and preserve forest within their customary and traditional boundaries. How are these ownership rights established and what can be privately owned? answers the fundamental principle of property law. Then follows what can owners do with their property and what are the remedies for the violation of property rights? Protection and preservation of forests from what and whom? Sixteen years after the implementation of FRA, neither GSs nor FD have clear answers. It becomes even more difficult on the verge of REDD+ and climate change. GSs are answerable for forest resources over which it has ownership rights, but to whom is not clear, neither in the Act nor in the Rules nor in the Frequently Asked Question (FAQ) on FRA. Should GS report to SDLC or DLC who are responsible for making GSs aware of duties and responsibilities or to FD the duty bound custodian of forest. Is it the hegemony of FD that it has faced the criticism for poor FRA implementation, especially CFRs?

Looking at the structure and functions of FD, the Forest Division forms the most important administrative unit, headed by the DFO. It's a unit at which budgeting and planning take place. A Forest Division comprises several *forest ranges* and a *forest range* comprise several *forests beats*. A *forest beat* approximately 10 to 15 km² is the lowest administrative unit. Therefore, a beat consists of several Gram Panchayats, villages and GSs. If GSs have ownership and usufruct rights over forest resources and the power to protect and preserve it, then FD is duty bound to protect, conserve and develop forest. Definitely, FD is answerable to the state government and the Government of India. Clearly, it's a conflict of interest in the matter of who has a higher stake in the protection and preservation of forest resources, the communities whose livelihood depends on forests or the department whose existence depends on forests. If there are venal officers in FD then there're nefarious elements in GSs. The important point of distinction comes from FRA Rules that mandates the conservation and management plan of GS to be integrated with the micro plan or working plan of FD. The integration of management plans of GS with the working plan of FD draws FRA closer to JFM. It is not clear how this integration of plans takes place or would take place. Integration of the two plans is more cumbersome than the recognition and vesting of rights. Transforming scientific and technical working plans of the FD into a simpler level to be understood by every right holder needs a paradigm shift and is pivotal to the outcome of FRA, especially CFR.

Discussion

Recognition of forest rights is backbreaking. It's laborious and cumbersome. While it has been economically, socially and politically expensive to the forest dwellers, it has unquestionably been an overall loss to the state itself. Walking down the lane of history shows that forests have been considered as state property to generate revenue, muzzling the forest dwellers, lovers of forests and nature for the higher cause of progressive development. Therefore, intuitively, it has been expensive for the state to recognize and vest rights to forest dwellers. FRA is an outcome of the extensive eviction drive carried out by FD, followed by massive outcry that unfolded into a compelling docket for winning 2004 general election. It's necessary that environmental agendas get embossed in the ballot paper of a mature democracy. However, if green agenda like forest rights are used for political leverage than it is likely to slack off after political gains. It includes the methods used to draft FRA, the means chosen to implement it and the subsequent legislations. On February 13, 2019, just before the General Election, SC ordered to evict 2 million individuals who had their claims rejected under FRA. On February 28, 2019, the court placed stay on its own order. However, as per the statistics in MOTTA website, there has been no guidelines issued on the implementation of FRA after February 2019, followed by a slowdown in IFRs and increase in CFRs on paper, evidently, without any single successful replicable model across India. Paving way for the Forest (Conservation) Amendment Act, 2023.

The present day dissent with the moves of the Narendra Modi-led NDA government with regard to FRA is a simple reflection of the change in priorities for which the majority of the people of India opted – Make in India and Ease of Doing Business for the Good Days to come. The resentment of the forest rights' supporters include Compensatory Afforestation Management and Planning Authority (CAMPA) Fund Act 2016, wrongful application of the clause of free informed consent of FRA, Mines and Minerals (Development and Regulation) Amendment Act, 2015 (MMDR), the National Board of Wildlife, proposed amendments to CTA and SPT, and Goods and Services Tax (GST) on MFPs, and the Forest (Conservation) Amendment Act, 2023. CAMPA fund receives money from the diversion of forests for non-forest purpose on Net Present Value (NPV) and other project specific payments. The funds are transferred to State CAMPAs, giving prerogative to FD to make decisions on plantation location and types. While FRA gives power to community, CAMPA restores power back to FD. Communities suffer loss in forest diversions, but Siddhanta Das, Former Director General (Forests), opines that plantations are done on non-forest land and it doesn't interfere with FRA (Agarwal and Chakravarty, 2017). Nevertheless, compensatory forestry compensates for the loss of a number of trees and increases carbon stock, but it doesn't compensate for ecosystem and biodiversity loss. Natural forest is a non-renewable resource. Despite recommendations of the Kanchan Chopra Committee on forest NPV to compensate communities for the loss of forest, neither the bill nor the act has such provisions (Chopra et al., 2006). Records of the discussions held on January 12, 2018, under the chairpersonship of the Secretary of the MoTA suggest that the approval of GS for utilization of CAMPA fund is under consideration (Ministry of Tribal Affairs, 2018). During 2019-20 and 2021-22 only 27% of the CAMPA funds were utilized (Kancharla, 2023).

Mineral rich districts are amongst the poorest and inhabited by STs and OTFDs and largely fall in Fifth and Sixth Schedule areas. Contrary to earlier production practices of consent and settlement of the rights of STs before granting lease, MMDR and MoEF&CC adopted a general rule to give forests to miners without full-fledged forest clearance. MoEF&CC has expunged public hearing for the expansion projects of coal mines up to forty percent in their second and third phase. Attempts to amend CNT and SPT to ease transfer of tribal lands and conversion of agricultural land to boost trade, investment and revenue breach the provisions of FRA. Likewise, 2017 tax reform brought almost all MFPs under uniform 5 percent GST (Ministry of Tribal Affairs, 2017). Whereas earlier, 0% to 14.5% Value Added Tax (VAT) was applicable on different commodities of MFP. As per FRA Rules, imposition of any charges or royalties on forest right holders for value addition and marketing of MFP contravenes FRA.

Looking beyond politics, institutional framework of FRA itself answer its poor outcome. MoTA was chosen as nodal agency for the implementation of FRA— a ministry having little or no experience in dealing with issues related to forestry, wildlife, revenue system, and legalities of forest rights. FRA implementation in many states had been carried out through RD or FD. Historical injustice cannot be corrected without correcting historical mistakes. The committees were formed at district and sub-divisional levels. Committee members have heaps of other responsibilities as well. Moreover, FRA responsibilities assigned to the committees are not simple. FRA, FRA Rules, FAQ and training module have remained silent till now on how these committees will deliver on their responsibilities, who the supporting staff will be, and the role of civil society organizations. One needs to question how the two volumes of FRA training modules differ from

FRA Rules and FAQ. A lot has been written and talked in media and scholarly journals about FRA and they give an impression that there is more confusion than clarity.

The common lines of dialogues on FRA are: (i) FRA marked a *watershed* moment in the history of tribal development (ii) FRA has changed the forest *governance*, and; (iii) poor implementation of FRA due to *cruel FD* and lack of *political will*. There isn't any statistics on the number of people hired for the implementation of FRA. Similarly, there aren't any statistics available for the number of people trained in various government departments and the number of people trained in GSs. Also, it is important to question the content of training modules. There are no details available of grants received by state governments for implementing FRA. It's the responsibility of SDLC to make GS aware of duties and responsibilities. By now it must have been clear that the highest responsibility is on GS. GS has to form various committees for the protection and management of forests and its resources and integrate the same with the working plan of FD. It's fundamental to question how well are GSs equipped to make plans and integrate it with FD's scientific working plan. It's a catch 22 situation where FD is technically superior to manipulate towards its end and dilute inalienable forest rights. Despite 'disjointedness' between FD and community in JFM, there still exists a platform for both parties to interact and voice opinion. There is no such platform in FRA and it further directs to evaluate whether FRA has empowered forest dependent communities in the spirit of Act. It's not sufficient to make people aware of duties and responsibilities. In fact, it's crucial to make communities learn how to responsibly exercise forest rights fulfilling duties and responsibilities.

Conclusion

Lastly, to unveil the enigma of FRA, it's important to look back and ask what difference has FRA made to be called the watershed moment. Even in the absence of FRA, forest rights existed in the realm of Natural Law, people were using forest lands for agriculture and forest resources for livelihood. Recognition of forest rights is embedded in the Constitutional Law, but vesting of forest rights confides in the Administrative Law. Weak Administrative Laws increase the dominance of political will and such has been the case for the tumultuous implementation of FRA. Given the Quasi Federal nature of the constitution of India and provisions under FRA, the area of Administrative Law has been left unexplored with SLMCs. Yes! Fresh encroachments took place and FD did not have enough resources and manpower to check as was the need to pursue development projects. The trajectory of FRA started with the time bound eviction drive of FD based on a wrong interpretation of an order of the SC. Even if FRA has been unable to bring the desired change in the governance and management of forest, it has successfully checked further encroachments in the forest land to a great extent. The FD is not cruel, but for sure it's angry with violation of FRA for political dividends (The Hindu, 2023). What is required is a political intervention that can bridge the gap between the community and FD, knitted in the social structure of subsistence economy.

References:

- Agarwal, S. and A. Chakravartty. (2017).** Forest governance 2.0. <http://www.downtoearth.org.in/coverage/forest-governance-2-0-59363>.
- Bijoy, C. R., (2003).** Forest Rights: Issues, laws and people's assertion. People's Union for Civil Liberties. <http://www.pucl.org/Topics/Industries-envirn-resettlement/2003/forest-rights.htm>.
- Chandra, R. (2019).** How the FRA Is Being Cut Down to Size, and Tribals With It. <https://thewire.in/rights/how-the-fra-is-being-cut-down-to-size-and-tribals-with-it>.
- Chopra, K., G. K. Kadekodi, and V. B. Eswaran. (2006).** Report Of the Expert Committee On Net Present Value. <https://www.fedmin.com/fedmin/npvk.pdf>.
- Dhavan, R., (2002).** Evicting 10 Million Tribals. The Hindu. <http://www.thehindu.com/2002/09/20/stories/2002092000511000.htm>.
- Dreze, J., (2005).** Tribal Eviction from Forest Land. https://prsindia.org/files/bills_acts/bills_parliament/2005/bill53_2007010353_Nac_note_on_tribal_eviction.pdf.
- Food and Agriculture Organization of the United Nations. n.d. Numbers of Forest 'Dependent' People and Types of People Forest Relationships. (2023).** <http://www.fao.org/docrep/w7732e/w7732e04.htm>.

Forest Research Institute. (2011). JFM Committees and Forest Area. http://frienviis.nic.in/Database/JFM-Committees-and-Forest-Area-Under-JFM_1994.aspx. Accessed on September 25, 2023.

IndiaSpend. (2018). How Governments Across India are Violating Forest Rights. Bloomberg. <https://www.bloombergquint.com/politics/2018/03/22/how-governments-across-india-are-violating-forest-rights#gs.peBobpg>.

Kancharla, B. (2023). Data: Only 27% of CAMPA Funds Utilized Between 2019-20 And 2021-22. <https://factly.in/data-only-27-of-campa-funds-utilized-between-2019-20-and-2021-22/>.

Mahapatra, R., K. S. Shrivastava, S. Narayanan, and A. Pallavi. (2023). How Government is Subverting Forest Right Act. <https://www.cseindia.org/how-government-is-subverting-forest-right-act--1937>.

Menon, M., (2018). Forest Rights Act: Why are Chhattisgarh Tribals up in Arms Over Non-Implementation of Legislation, Centre's New Conservation Policy?. Firstpost. <https://www.firstpost.com/india/forest-rights-act-why-are-chhattisgarh-tribals-up-in-arms-over-non-implementation-of-legislation-centres-new-conservation-policy-4396509.html>.

Ministry of Environment and Forest. (2014). National Working Plan Code - 2014 (For Sustainable Management of Forests and Biodiversity in India). Dehradun. S.S. Technoprint Pvt. Ltd. https://jkforest.gov.in/assets/pdf/wplans/national_working_plan_Code_2014.pdf.

Ministry of Environment and Forest. (2002a). MoEF order on removal of encroachments on forests. http://wgbis.ces.iisc.ernet.in/biodiversity/Environ_sys/doc_2000_01/ecomoe 220928.html.

Ministry of Environment and Forest. (2002b). PART - II - Section 3 - Sub-section (ii). <http://www.pucl.org/Topics/Industries-envirn-resettlement/2003/forest-right-notification.htm>.

Ministry of Environment and Forest. (2009). Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. [https://forestsclearance.nic.in/writereaddata/public_display/schemes/337765444\\$30-7-2009.pdf](https://forestsclearance.nic.in/writereaddata/public_display/schemes/337765444$30-7-2009.pdf).

Ministry of Environment, Forest and Climate Change. (2023). Total Forest and Tree Cover Increased by 2261 Square Kilometre in India as Per the India State of Forest Report (ISFR) 2021. <https://pib.gov.in/PressReleasePage.aspx?PRID=1906388>.

Ministry of Tribal Affairs. (2009). Procedure for Seeking Prior Approval for Diversion of Forest Land for Non-Forest Purposes for Facilities Managed by the Government Under Section 3(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. [https://tribal.nic.in/FRA/declarationsClarifications/24procedureforseekingpriorapprovalfordiversionofflandundersection3\(2\)dated18May2009.pdf](https://tribal.nic.in/FRA/declarationsClarifications/24procedureforseekingpriorapprovalfordiversionofflandundersection3(2)dated18May2009.pdf).

Ministry of Tribal Affairs (2012). Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 - guidelines regarding. <https://tribal.nic.in/FRA/data/Guidelines.pdf>.

Ministry of Tribal Affairs. (2014a). Issues Relating to Existing Guidelines for Diversion of Forest Land for Non-Forest Purposes vis-a-vis Provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (Commonly Known as Forest Rights Act) Reg. <https://tribal.nic.in/FRA/declarationsClarifications/23Existingguidelinesfordiversionofforestlanddated27Aug2014.pdf>.

Ministry of Tribal Affairs. (2014b). Guidelines for Diversion of Forest Land for Non-Forest Purpose – Regarding. <https://tribal.nic.in/FRA/declarationsClarifications/22Guidelinefordiversionofforestlandfornon-forestpurposedated21Oct2014.pdf>.

Ministry of Tribal Affairs. (2017). Impact of GST on Minor Forest Produce. [https://pib.gov.in/PressReleasePage.aspx?PRID=1513674#:~:text=ii\)%20Before%20implementation%20of%20GST,almost%20all%20commodities%20of%20MFP](https://pib.gov.in/PressReleasePage.aspx?PRID=1513674#:~:text=ii)%20Before%20implementation%20of%20GST,almost%20all%20commodities%20of%20MFP).

Ministry of Tribal Affairs. (2017b). Provision of Funds from TSP for undertaking Activities Under Forest Rights Act 2006. <https://tribal.nic.in/FRA/declarationsClarifications/ProvisionforfundsfromTSP2.pdf>.

Ministry of Tribal Affairs. (2019). Welfare of particularly vulnerable Tribal groups. <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1577166>.

Ministry of Tribal Affairs. (2023). Monthly Update on the Status of Implementation of the Scheduled Tribes and Other Traditional Forest Dweller (Recognition of Forest Rights) Act, 2006. [https://tribal.nic.in/downloads/FRA/MPR/2023/\(A\)%20MPR%20Jun%202023.pdf](https://tribal.nic.in/downloads/FRA/MPR/2023/(A)%20MPR%20Jun%202023.pdf)

Ministry of Tribal Affairs. n.d. Frequently Asked Question on Forest Rights Act. <https://tribal.nic.in/FRA/data/FAQ.pdf>.

Ministry of Tribal Affairs. n.d. Importance of Minor Forest Produces (MFPs). <https://trifed.tribal.gov.in/non/timber/msp-mfp>.

Rights and Resource. (2016). Promise and Performance, Ten Years of Forest Rights Act in India. https://rightsandresources.org/wp-content/uploads/2016/12/Promise-and-Performance-10-Years-of-the-Forest-Rights-Act-in-India_December-2016_Community-Forest-Rights.pdf.

Sahu, G. (2021). Why States Should Emulate Maharashtra on Kendu Leaf Deregulation. <https://thewire.in/rights/why-states-should-emulate-maharashtra-on-kendu-leaf-deregulation>. Accessed on September 25, 2023.

Scheduled Areas and Schedule Tribes Commission. (2004). Report of the Scheduled Areas and Scheduled Tribe Commission. Government of India. Volume I. New Delhi. Government Press. <https://tribal.nic.in/writereaddata/AnnualReport/BhuriaReportFinal.pdf>. Accessed on September 23, 2023.

The Hindu (2023). 3 IFS retired officers highlight violation of Forest Rights Act, write to PM Modi. <https://www.thehindu.com/news/national/telangana/63-ifs-retired-officers-highlight-violation-of-forest-rights-act-write-to-pm-modi/article67181196.ece>.

The Times of India (2023). Over 3 Lakh Hectares of Forest Land diverted Under Forest Conservation Act in 15 Years: Govt. http://timesofindia.indiatimes.com/articleshow/102507083.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.