Oxfam India is part of a global movement working to fight poverty, injustice and inequality. In India, it works in six states. Oxfam India’s programme on Fair Sharing of Natural Resources is aimed at marginalised communities to realise their rights through rightful access, control and sustainable management of natural resources, thereby giving them voice and agency to transform power structures and reduce inequality and injustice. In Chhattisgarh, Oxfam India is working with KHOJ Evam Jan Jagriti Samiti (KHOJ), in Gariyaband and Dhamtari district since 2015, and with Gram Mitra Samaj Sevi Sansthan since 2014 in Korba and Rajnandgaon districts. The focus of the work has been to secure access and entitlements of marginalised communities, especially women and Adivasis, to forest and its resources, and their management through the implementation of the Scheduled Tribes and Other Traditional Forest Dweller’s (Recognition of Forest Rights) Act 2006, also known as the Forest Rights Act (FRA). These access and entitlements are critical to the well-being and livelihoods of the forest communities.

The forest rich states of India like Chhattisgarh, Odisha, and Jharkhand — also the three focus states of Oxfam India — are rich in natural resources and home to India’s one-third Adivasis population of India. This overlap has worked against the Adivasis and other traditional forest dwellers who are entirely dependent on the forest resources for their livelihood and food requirements. Mining and other development projects undertaken in these mineral-rich forest areas make the Adivasis and the forest dwelling communities vulnerable to displacement. Incidentally, these states also have high levels of poverty.

The extent of displacement can be gauged from the fact that in 2015 alone, the Ministry for Environment, Forest and Climate Change (MoEFCC) gave final approval of forest clearance to 329 projects spreading over an area of 11525.6 hectares (ha) (28480.4 acres); Chhattisgarh has the second highest number of forest projects, over 40 ha category; according to 2011 statistics, of forest land over 40 ha under the ‘over 40 ha’ category; over 40 ha are often justified by the employment that they are likely to generate in these parts. The irony is that despite being rich in forest resources, the states and in particular the Adivasis and the forest dwelling communities, suffer food insecurity and low economic development.

Chhattisgarh has 40 per cent of its population living below poverty line. The Adivasis comprise 36.9 per cent of the rural population; they along with other forest dwellers depend on the forests for their sustenance. In this context, it is even more critical that the Adivasis and the other traditional forest dwellers claim and protect their forest rights. FRA 2006 is landmark as it recognises the customary rights of the Adivasis and other forest dwelling communities over their forestland. The Act recognises the traditional and customary rights of forest dwellers—both Individual Forest Rights (IFR) and Community Forest Resources (CFR) Right. This includes Community Forest Rights (CR also known as nistaar), grazing land, and minor forest produce. The Act also empowers the Gram Sabha, through formation of CFR Management Committees or 4(1)(e) committee, as it is popularly referred to, to conserve and manage forest resources.

Oxfam India works with forest dwelling communities largely Adivasis and in some cases the Particularly Vulnerable Tribal Groups (PVTGs) in Chhattisgarh to create awareness regarding community forest rights, its benefits, and its impact on their lives. This is important since the information, from the government, regarding process of claiming rights is neither forthcoming nor complete. In Chhattisgarh, the recognition of CFR has been slow; in fact there are no records of claims filed or recognised. According to Ministry of Tribal Affairs (MOTA), as on January 2016, Chhattisgarh had 880,364 IFR claims filed and 347,789 claims distributed. There are no records from the state for the number of Community Forest Rights and Community Forest Resources Rights filed or recognised.

Oxfam India along with its partners – Gram Mitra and KHOJ – are working to address the gaps in the implementation of the Act, as well as support communities to prepare claims and enhance livelihood through sustainable management of forest.

### Forest Clearances in 2015

- Of the 329 projects, 56% is spread over 10416.14 HA (25739 acres) of forest land.
- Maximum forest clearance awarded to Madhya Pradesh, Chhattisgarh and Andhra Pradesh.
- Andhra Pradesh, Chhattisgarh and Odisha awarded the most mining clearances in forest areas.
- Chhattisgarh has 9 projects over 1975.82 HA (4882 acres) of forest land.
- Chhattisgarh’s forest area cover is 5.6 MILLION HA (13.8 million acre).
- Most forest clearances for mining – 14 projects over 3794.5 HA (9376.5 acres).

*56 projects fall under the ‘over 40 ha’ category; **Over 40 ha category; ^According to 2011 statistics; Source: Centre for Science and Environment*
MANISHA DHURVE, Member of the 4(1)(e) Committee of Padki Village.

The villagers take turns to guard the forest.
While the forest department is trying to control the forest through an erroneous CFR title in Padki village, in Dhamtari’s Pandripani and Junwani village it is resisting Gram Sabha’s attempts to claim their CFR.

The Pandripani village lies in the buffer zone of the Udanti-Sitanadi Tiger Reserve in Dhamtari district. A forest village, Pandripani was converted to a revenue village in July 2014. The conversion ensured, that apart from getting access to rural development programmes, the forest department would not be able to dominate the forest; the community stopped the forest department from felling trees, and fencing of forests and digging of cattle-proof trenches or CPT (creating physical barriers restricting entry of cattle). In the meantime, the Gram Sabha also filed their CFR claims.

“We always believed that forest belonged to the forest department. It is after we filed CFR claim that we realised that the forest belonged to the community and not the Forest Departments. Jai (water), jangal (forest), jameen (land) was ours after all,” says Devan Singh Markam. Devan Singh and his family settled in the buffer zone in 1965. ‘Siyaan’, as he is fondly called, is the member of Pandripani’s Forest Rights Committee. He is also a member of the School Management Committee (SMC) and the Village Health Sanitation Nutrition Committee (VHSNC). He has, in the past, been a member of the VSS and also the Sarpanch of the village.

Devan Singh’s village filed claims for 588.5 ha (1454.3 acres) but the Forest Department objected and gave approval for only 222.6 ha (550 acres). According to the Forest Department, the village wouldn’t require more than 550 acres. They based it on a general thumb rule that a cow and calf pair required 1.5 to 2 acres of grazing land through the year. “But it’s not just grazing that we need the forest land for. We need forest for conservation and management. The community is dependent on the forest for almost nine months,” says Devan Singh. He explains – January to March is the mahua season, tendu collection is done during April and May, sal seeds in May, mushrooms during July and August, mahuai patta for making leaf plates and cups are collected during August and September, and October is the season for amla.

The Gram Sabha nominated the 4(1)e committee — Sansadhan Prabandhan Nistara Nirnayak Samiti; it comprises nine men and six women. While the committee awaits a final stamp of approval (from the Panchayat and SDLC), they have laid out plans for conservation, protection and management of forest resources. The committee has inventoried the flora and fauna of the forest. Fireguards are appointed to keep a check on forest fires; penalties are fixed for those found guilty of starting fire in the forest. The committee decides the quantum of collection of minor forest produce (MFP) and non-timber forest produce (NTFP), and its extraction; fine will be imposed if anyone is found stealing honey or collecting MFPs and NTFPs out of turn.

Oxfam India and KHOJ started working in Dhamtari in 2015. After meetings and trainings on the provisions of the Act, the community decided to challenge the unlawful intervention of the Forest Department. “After several meetings with the Gram Sabha, it was decided that the Gram Sabha should submit a dissent note, stating the reasons for their claims, to the SDLC. They have now done that,” says Saraswati Dhruw, KHOJ.

At Kongera Gram Panchayat’s Junwani village, the resistance came from within the FRC. The Gram Sabha applied for CFR claim over 315.6 ha (780 acres) of its forest, Kongera Dongri. Oxfam

Though women are not yet members of the 4(1)e committee, at Padki village, they attend whenever they can. The women also don the role of Thengapalis to guard the forests.
India-KHOJ supported the community in filing claims; the FRC secretary who is also the Sarpanch has been uncooperative.

“We did a GPS survey of the forest area but we wanted the forest department to come as well. First the FRC secretary did not take any action. He said he had no instructions from the Sub-Divisional Magistrate (SDM) and so couldn’t take any action. We went to the SDM. Only after the SDM’s instruction did the secretary approach the forest department. The forester did come but refused to do a physical verification of the forest boundary. We wanted us to sign on some number that he proposed. We refused to do that,” says Dhansai Netam, secretary of Junwani’s 4(1)(e) committee. The community is standing by its claim over the forest that they need for nistari, grazing, biodiversity, and devta-dhaam.

The 4(1)(e) committee, here, meet monthly, have inventoried the forest, and set penalty for offenders caught stealing from the forest or setting fire. Though the committee has plans to put up signs so that everyone is aware, it was also decided that the community should work closely with the forest department so if the members of the 4(1)(e) committee do catch somebody violating the forest, it is the department that should challan them. The intent is right, but the processes still need to be in place,” says Nandini Sahu, block coordinator, KHOJ.

It is evident, from the implementation of the Act in the state, that information from the government is neither forthcoming nor clear, and the forest department, reluctant to let go of its powers, is pitting the VSS against the 4(1)(e) committees. “Though we have filed CFR claims, during the trainings we find a lot of discrepancies from our end. We need the support of organisations like Oxfam India, Khoj, and Srishti to guide us through the process and paper work, and support us in the conservation and management of forest resources. This will help enhance our incomes and improve our livelihoods,” says Rohit Kumar Dhurve, FRC member, Padki village.

**NOTES**

1. Uttar Pradesh, Jharkhand, Bihar, Odisha, Chhattisgarh, and Assam.
7. ‘Thenga’ means stick and ‘pali’ loosely translated means turn. The guards go into the forests at night armed with a stick. The next morning, when they are back from the forest they leave the stick in the house of the person who is next on duty. The guard duties are rotated and schedules are made in advance.
8. Joint Forest Management (JFM) initiated in 1990’s, promised profit sharing between the community and the forest department the controls of the forest lay with the department.
9. It is the prerogative of the Gram Sabha to decide whether to nominate the members of the JFMCs in the new Committee under Rule 4(1)e or constitute it with new members. It is further clarified that only the members of the Gram Sabha are eligible to become a member of the Committee under Rule 4(1) e. Automatic conversion of JFMCs into Committee under Rule 4(1)e is neither mandated nor desirable under the FRA as the objectives, structure and mandate of JFM is different from that of Committee under Rule 4(1) e. Source: http://tribal.nic.in/WriteReadData/CMS/documents/201603010546387158203File1539.pdf (as viewed on May 3, 2016)
10. The amount was collected through individual contribution and the sale of dead wood.
11. Chhattisgarh has 425 such recorded forest villages, which FRA 2006 gives right to convert them as revenue village.
12. The Forest Rights Committee proceeds with the verification of the claims after it has intimated both the forest department the controls of the forest and the forest department the department to come as well. First the FRC secretary did not take any action. He said he had no instructions from the Sub-Divisional Magistrate (SDM) and so couldn’t take any action. We went to the SDM. Only after the SDM’s instruction did the secretary approach the forest department.
13. Mahul patta, as they are locally known as, are the leaves of a creeper plant. The plant is scientifically known as Bauhinia Vahlii. The tree is found in wet Sal forest and has very high regeneration capacity. Leaves are used in making plates, cups for taking and packing food & flowers. Source: http://ruralenterprise.blogspot.in/2009/05/1-introduction-distict-of-dindori-i-is.html (as viewed on May 4, 2016)
14. Junwani is surrounded by villages that have lost major part of their forest to the Dudhawa Dam way back in 1970s, leaving them dependent on forest belongs to neighbouring villages, which is also subjected to rapid degradation.
15. Trees (59 varieties), herbs (30), tubers (14), vegetables (7), animals (20) and birds (22)
16. Place of worship
17. Junwani was registered as community forest area. This has caused a huge loss to the community.
18. The community has realised that they have applied for CFR title on 780 acres of land, and couldn’t claim much forest area which was under submergence, the forest department had supported a forged resolution in which meagre area of forest was registered as community forest area. This has caused a huge loss to the community.
19. An official form or document, such as a receipt, invoice, or summons

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