



Status of Implementation of Forest Rights Act

**in 172 Villages of Nayagram Block,
Jhargram District, West Bengal**
(An Interim Report)

**Society for Direct Initiative for Social and Health Action
(DSHA)**

www.dishaeearth.org

Principal Investigator

Sasanka Dev

Research Coordinator

Jharna Acharya

Surveyors

Gopal Dandapate

Chaitan Besra

Jatin Mahato

Editor

Santanu Chakraborty

September 2020

Executive Summary

It has been 13 years since, The Scheduled Tribes and other Forest Dwellers (Recognition of Forest Rights) Act, 2006 popularly known as Forest Rights Act, was enacted by the parliament to address 'historical injustice' done to the forest dwelling scheduled tribes and other traditional forest dwellers by not recognizing their rights on ancestral lands and their habitat. However, even after a decade, the law remains to be implemented in various districts of West Bengal.

Nayagram CD Block of Jhargram district was selected as it has a forest cover of 23,875 hectares that is almost 47.40% against a total geographical area of 50,560 hectares. With the objective of ascertaining the level of implementation of the Forest Rights Act and to assess the scope of asserting such rights, a ground level survey was carried out in 172 villages out of 294 inhabited villages in the block, comprising of 20206 families situated in the forest areas or forest adjacent areas of the Block. The surveyed families comprised of 41% other traditional forest dwellers [OTFD], 31% scheduled tribes [ST], 20% scheduled castes [SC] and 8% particularly vulnerable tribal groups [PVTG]. It was found that majority of families belonging to ST and PVTG groups are more dependent upon forest resources with respect to other social groups. Data for the survey was collected through group interaction method. Surveyors established contact with respective villages before going to survey and interacted with the groups.

Forest dwellers were found to be dependent on the forest in many ways. They collect naturally produced forest products and sell those, either in the same form or after a primary stage of processing; villagers were also found to produce direct consumables such as ropes from *Babui* grasses, kitchen utensils from canes, cocoons from insects etc. They send the products or directly go to local weekly markets for selling it to the customers. Agents of different agencies also come in forest villages to buy the collected raw and semi-processed products. Government agencies like forest development corporations, tribal development corporations etc. provide minimum support price (MSP) for a wide range of collected raw materials from forest.

The groups responding to the survey were unaware about existence of any map delineating the forest villages along with the adjacent forest areas where they earn their livelihood. But most of them are traditionally residing in forest land. 56% of ST and 58% of PVTG families are completely dependent on forest for their livelihood. It was revealed that many of the families are traditional forest dwellers but do not have any agricultural land inside forest under their occupation. Some have agricultural land

inside forest under their occupation but resides in areas outside forest land. Among them some are residing traditionally in government non-forest land (khas land) and others in individually owned land (rayat).

The villagers in all the villages surveyed did not know the existence of any Gram Sabha in their villages. Even, local authorities among PRIs (Panchayat Raj Institutions) have not taken any initiative to convene Gram Sabha at forest village level. The groups, who have given rough estimate of areas, informed that the livelihood practices on common forest resources are carried on in an average in 5 hectares. But it varies even from 2 hectares to 30 hectares. Some of the villages have customary grazing land for their cattle but others do not. All the villages have at least one place of worship. In some villages there are more than one common places of worship but there is not a single village where such place of worship is absent.

However, they were only aware about existence of one committee which implements decisions of forest department in forest villages. These are Forest Department appointed 'Forest Protection Committees' (FPC) or sometimes these are known as JFM committees. These were introduced when the Joint Forest Management programmes were introduced by the Forest Department.

Although recognition of Common Forest Rights was absent, at least 32 responding groups informed the surveyors that few forest dwellers have received individual '*land patta*' or '*title for forest land under occupation*' (Under FRA). These title deeds on closer inspection revealed that they bear no date or registration number, and although the deeds have been signed by Divisional Forest Officer / Dy. Conservator of Forest; Project Officer-cum-District Welfare Officer, BCW (Backward Class Welfare), Paschim Medinipur; Additional District Magistrate & D.L.L & R.O Paschim Medinipur; the signature of District Collector / Deputy Commissioner was missing in all of them, raising several questions as to the legality of the same.

The findings of our survey lead us to conclude that majority of the population in the villages under survey in Nayagram Block are traditionally dependent on forest resources. Their dependence on common resources as well as occupying individual lands for agricultural and home are primary and bona fide. The Forest Rights Act 2006 needs to be implemented here in order to recognize and secure the rights of the forest dependents as well as to safeguard them from unjust and illegal threats of eviction, deforestation and construction. Appropriate and immediate action has to be taken to

implement the provisions of the Forest Rights Act, 2006 and Forest Rights Rules, 2007 (as amended in 2012)

We therefore recommend that:

1. Widespread awareness is to be generated among the forest villagers and at every stage of administration including workers and authorities of Panchayat, Land Department, Forest Department and the offices of the BDOs and SDOs
2. Government should issue instruction to the Panchayats to hold meeting of Gram Sabha at every forest village level and start functioning of Gram Sabha
3. Forest Rights Committees should be elected by the Gram Sabhas and given responsibility of preparation of the maps of the village areas and common forest resources for submission of claims of Common Forest Rights according to FRA.
4. Sub-Divisional Level Committee and particularly SDO office should extend all sorts of cooperation to the Gram Sabhas and develop capacities to help them to prepare map of common forest resources and submit the claims of CFR of the village.
5. Sub-Divisional Level Committee and particularly SDO office should extend all sorts of cooperation to the Forest Rights Committees to develop their capacity to help the villagers to prepare individual claims of common resources as well as agricultural and homestead lands.
6. Gram Sabhas should be capacitated to receive all the claims prepared by the FRCs, verify and consolidate them, check the maps delineating the areas of each claim and pass a resolution with recommendation. Thereafter a copy of the same with all documents should be passed to the Sub-Divisional Level Committee formed by the State Government.

Sub-Divisional Committees will consider and dispose the petitions. There are further procedures which are clearly laid down in the Act and the Rules. The above recommendations suggest the minimum steps which are required to start implementation of the FRA.

Introduction

The Scheduled Tribes and other Forest Dwellers (Recognition of Forest Rights) Act, 2006 (popularly known as Forest Rights Act – FRA) was to be implemented since 2008 in all over India. West Bengal having a considerable forest covered area and large number of forest population is to be considered an important State for the Forest Rights Act to be implemented. The total population of West Bengal is 9.13 crore out of which 5.49 % constitute tribals, mainly Santhals. Total recorded forest land in the state is 11,879 sq.km, of which 7,054 sq. km is Reserved Forest, 3,772 sq.km is Protected Forest and 1,053 sq.km is Unclassed State Forest, thus constituting 13.38% of the geographical area of the state. Around 38 lakhs voters are eligible to receive the rights and the benefits of the Act. There are three major forest covered regions in West Bengal; one in North Bengal (Darjeeling, Jalpaiguri, Alipuduar and Coochbehar districts) and two in South Bengal, Purulia, Bankura, Jhargram, West Medinipur and Birbhum in west region and Sundarban (South and North 24 Parganas) in south region.

Implementation of the Act in West Bengal is improper and mostly at odds with the legal provisions. Since 2008, several notifications and steps of various departments have made the implementation further complicatedⁱ. Limited information regarding implementation of the Act was earlier available in the website of the Backward Class Welfare Department, which is the nodal agency for implementation of the Actⁱⁱ. Now the same is not readily available. It has been ascertained from the website of the Ministry of Tribal Affairs, (report updated in March 2020ⁱⁱⁱ) that total claims of forest rights received in West Bengal was 142081 (Individual – 131962, CFR – 10119) and Title Deeds distributed 45130 (Individual – 44444, CFR – 686). Area covered in acres - 21586 (Individual – 21014, CFR – 572). The Monthly Update further states that 96587 claims have been rejected.

Another set of information is available from the Supreme Court order dated February 13th, 2019. As per affidavit submitted by the West Bengal Government to the Supreme Court - Total claims received from Scheduled Tribes is 95958 and OTFDs 36004. Out of that total claims rejected - Scheduled Tribes – 50288 and OTFD – 35856.^{iv}

Though the above data does not give a very bright picture of the situation, still on the ground level in South Bengal, even this is not reflected in reality. Sundarban covers a considerable area of South and North 24 Parganas. Livelihood of large number of fishers is traditionally dependent on its forest resources like fish, honey etc. But these

two districts have been excluded from the purview of implementation of the Act^v. Therefore, no steps have been taken to secure the forest rights of the fishers in Sundarbans till date. In other districts of South Bengal also, especially in the western districts with large forest cover, any important process of implementation of the FRA is not conspicuous. The figures submitted by the West Bengal Government to the Supreme Court and the Central Government therefore appear contradictory. According to the experience of the activists at field level, hardly any process of formation of Gram Sabha and election of Forest Rights Committee has taken place. There has been no support from Sub-Divisional level committees for mapping of forest land under individual and community use, thereby making any submission of claims to Gram Sabhas difficult.

Since 2009, Dakshin Banga Matsyajibi Forum and DISHA have been jointly trying to support the forest dependent fishers of Sundarban to achieve community rights on forest resources and to continue their traditional livelihood as ensured by the Act, its interpretations and related Rules. In case of western districts also, very few and inconsistent interventions have been made to ensure implementation of the Act. Since 2018, a consistent effort has been taken in newly formed Jhargram district (April 2017) for developing awareness on Forest Rights Act and implementation of the same. One of the activities undertaken was to conduct a rapid assessment study of some villages to assess the ground reality on status of implementation of the Forest Rights Act by the state government.

Objective of the Study

Jhargram district covers an **area** of 3037.64 Sq. km. (303764 Ha) out of which 268249 hectare is agricultural land and 59497 hectare is under **forest coverage**. Jhargram has the second highest number of voters in a district in West Bengal, more than 5 lakhs, who are eligible to receive the benefit of Forest Rights Act. By proportion also, 35% of the population in the district are eligible for the benefit of FRA. As there are large number of people dependent upon forest and deserve forest rights, the study was undertaken to ascertain the level of implementation of the FRA in the villages and to assess the scope of asserting such rights under FRA. It was also planned to make a venture to develop awareness and motivation on the basis of assessment of implementation.

There are 8 Community Development Blocks in Jhargram District. Nayagram CD Block is one of the majorly forest covered block. It has an area of 501.44 km². It has

1 panchayat samity. There are 12 gram panchayats namely Arrah, Baligeria, Barakhakri, Baranigui, Berajal, Chandabila, Chandrarekha, Jamirapal, Kharikamathani, Malam, Nayagram and Patina. There are 104 gram sansads (village councils), 336 mouzas and 294 inhabited villages.

Nayagram CD Block has a forest cover of 23,875 hectares that is almost 47.40% against a total geographical area of 50,560 hectares. As per the 2011 Census of India, Nayagram CD Block had a total population of 142,199, all of which were rural. There were 71,537 (50%) males and 70,662 (50%) females. Population below 6 years was 17,598. Scheduled Castes numbered 28,899 (20.32%) and Scheduled Tribes numbered 56,887 (40.01%).

In the 2011 census Hindus numbered 121,502 and formed 85.45% of the population in the Block. Christians numbered 2,514 and formed 1.77% of the population. Muslims numbered 1,713 and formed 1.20% of the population. Others numbered 16,470 and formed 11.58% of the population. Others include Adi Bassi, Marang Boro, Santal, Saranath, Sari Dharma, Sarna, Alchchi, Bidin, Sant, Saevdharm, Seran, Saran, Sarin, Kheria and other religious communities.

Out of 294 inhabited villages in the block, 172 villages inside or in the fringes of forest were selected at random. Interactions were conducted with forest dwellers to collect information how many families of different social groups depend on forest resources. Dialogues were held to understand the degree of dependence of the people on the forest, individual occupation of agricultural and homestead land, community forest resources like grazing ground, water resource, places of worship, playgrounds etc. Interactions were further conducted to understand level of implementation of the FRA, formation and functioning of Gram Sabhas, Forest Rights Committees, conferring of forest rights for common resources and occupied land by individual families etc.

Methodology

Data for the survey was collected through group interaction method. Surveyors established contact with respective villages before going to survey.



Requests were made to form informal groups of the villagers who would be willing to provide information about their villages. Special request was made to the contact persons to include at least 2 elderly persons having knowledge of their villages. While the survey was conducted, responses were recorded after one set of cross checking with other members of the same group. These groups have been referred as **responding groups** in the data analysis in the following paragraphs.

In at least 10% cases the members of the survey team visited different places of the villages to corroborate the data on common forest resources.

Survey area

Out of 294 inhabited villages in Nayagram Block, the survey was conducted in 172 villages situated in the forest areas or forest adjacent areas of the Block. These villages fall in 8 out of 12 Gram Panchayets of the block in following manner –

Table 1 - Number of villages surveyed	
Baranigui GP	20
Barakhakri GP	22
Chandabila GP	30
Jamirapal GP	24
Kharika GP	21
Malam GP	21
Nayagram GP	16
Patina GP	18
Total	172

Detailed list of villages may be seen in Annexure – 1.

Around 20206 families are traditionally living in these 172 villages. The focus of the probe was to identify who are the potential recipients of forest rights in terms of their position in social groups. For that purpose, identification of two groups – Scheduled Tribe and Other Traditional Forest Dwellers could be sufficient. However to get little more detailed impression, the surveyors collected the data of social groups in four divisions - they were identified as Scheduled Tribe (ST), Particularly Vulnerable Tribal Group (PVTG), Scheduled Caste (SC) and Others. While first two are sub-groups belonging to Scheduled Tribe, the other two groups are part of Other Traditional Forest

Dwellers (OTFD) as per Forest Rights Act. It was observed that several villages are resided only by PVTGs.

Table 2 – Number of families according to social groups in the villages		
ST	6182	31 %
PVTG	1606	8 %
SC	4122	20 %
Others	8296	41 %
Total	20206	

Effort was made to roughly estimate how many families other than STs and PVTGs have started living in these forests or any other forest after 1930 and do not fulfill the criteria of residing more than 75 years / 4 generations before enactment of the Forest Rights Act. In most cases the answer is negative. As livelihood is not easy in these villages, families usually do not come from outside to reside in these villages. Rather there is a trend that a good number of families, mostly belong to SC and other social groups, have shifted towards towns and places where life is relatively easier and livelihood opportunities are more. As per older persons' versions, maximum 2% of the families of SC and other social groups had started residing in these villages after 1930. Unlike many other forest areas of other states, ratio of tribal population among forest dwellers is comparatively less in West Bengal. However, in Jhargram district this ratio is highest in the state but still not more than 40%. Though there are large numbers of non-tribal villagers in forest villages, any chronic nature of conflict between traditional dwellers - tribal and non-tribal does not exist in these villages. On the other hand, the newer residents are not accepted in community life so smoothly.

In terms of population, total 71635 people are living in these villages. Male to female ratio is almost 50 : 50 whereas proportion of children below 6 years is around 11 % of the total population. Composition of population in accordance to social groups is as follows :

Table 3 – Population composition		
ST	23753	33 %
PVTG	5249	7 %
SC	14071	20 %
Others	28562	40 %
Total	71635	

Jangol Kori

It was probed whether these families are dependent on common forest resources and forest land and if so, what is the degree of dependence. Buran Dandapate of Paschim Kalmapukhuria village told us *“amra ei grame sobai jangol kori”* (We all in this village do Jungle). There are several villages where forest is the only means of livelihood. But everywhere it is not like this. Some of the members of some of the families work outside the villages and earn from different sources. Some are even residing in the villages but not dependent upon forest resources. Some among them also are having ownership on some land outside the forest areas and again holding forest land as traditional holders. Dependence on forest resources is reducing in these families. Degree of such reduction depends upon their capacities and opportunities of earning from non-forest resources. The surveyors were keen to understand whether most of the families in these villages are dependent upon forest resources. It revealed the following, which in other words *they do Jungle*.

Table 4 - Level of dependence of the families on Forest Resources					
	ST	PVTG	SC	Others	Total
100% dependence	3452	933	965	1658	7008
More than 50% Dependence	1765	359	1562	2356	6042
More than 25% Dependence	480	195	1130	3047	4852
No dependence	485	119	465	1235	2304
Total	6182	1606	4122	8296	20206

The means of livelihood depending upon forest are innumerable. Most of them are depending upon common minor forest produces. One, not acquainted with use of forest resources by the forest dwellers, may get surprised to note the varieties of those produces and varieties of means of uses of each produce. Mainly it is known that forest dwellers collect fuel woods, leaves and fruits. But lives in forest are no more isolated. Lives of the forest dwellers are still self-contained but in many ways they are getting more and more linked with outside market and world. Different agencies of the governments also engage them in forest related activities. The ways and means of dependence upon **common forest resources** may be categorized by several practices –

- a) Forest dwellers collect forest products, which are naturally produced and consumed by themselves like fuel wood, fruits, fish etc.

b) Forest dwellers collect forest products, which are naturally produced and sell those, either in the same form or after a primary stage of processing like drying of leaves, extraction of juice etc. These products include various plants, medicinal plants and parts of the plants like shoots, barks, tubes, flowers, fruits, plant juice and what not. Processing of course add value to the products. Sometimes the villagers directly produce consumables. Babui grasses are transformed into ropes. Canes are used for kitchen utensils and decorative items. All these are sold by them. Where and how do they sell? They sell those in various forms - (i) They send the products or directly go to local weekly markets and directly sell to the customer. (ii) Agents of different agencies also come in forest villages to buy the collected and semi-processed products. (iii) Government agencies like forest development corporations, tribal development corporations etc. provide minimum support price (MSP) for a wide range of collected raw materials from forest. Recently Central Government has increased MSP of 49 minor produces to compensate the loss of the forest dwellers due to outbreak of COVID 19 (Annexure - 2).



c) Forest department directly engage the forest dwellers in various schemes for plantation inside the forest areas. Some works, related to forest regeneration, are provided by Panchayet through MNREGA scheme. In some of the forest villages, programmes are conducted by the forest department to develop social forestry. A smaller portion of the income generated from selling of the timber is shared with the villagers.

It has been noted that majority of families belonging to ST and PVTG are more dependent upon forest resources with respect to other social groups.

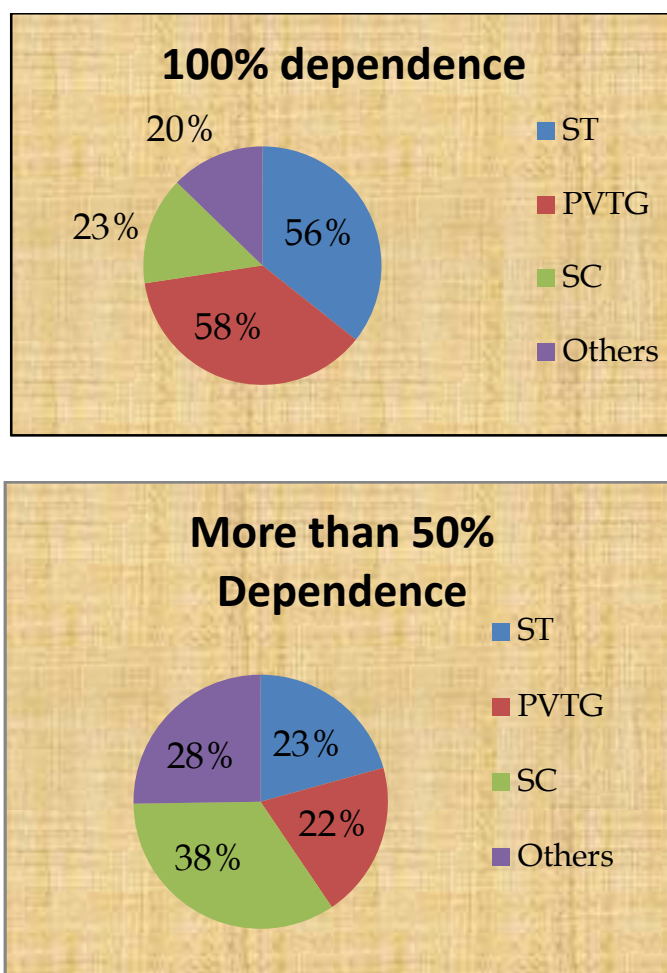


Chart 1 : Proportion of population of different social groups dependent on forest resources by 100% and 50%

56% of the STs and 58% of the PVTGs are wholly dependent upon forest whereas 23% of SCs and 23% of other communities only *do jungle* for livelihood. Again 23% STs and 22% PVTGs are dependent on forest for more than 50% of their livelihood whereas 38% of the SCs and 28% of the others are dependent on forest for more than 50% of their living. This shows that dependence of STs and PVTGs on forest are still overwhelming and SCs and others are relatively less dependent.

Common Forest Resources and Major Forest Related Activities

Wide ranges of activities depending upon **common forest resources** are taking place in the surveyed villages. Some of the major activities are briefly described here to develop an understanding how the forest dwellers of the surveyed villages are dependent upon common forest resources.

- a) Large number of shawl trees is available in this region. These leaves are dried and used as food plates. Forest dwellers collect these leaves from forest, process near their households and sell those to shawl plate manufacturing units. A few such small scale manufacturing units are being run by some of the villagers themselves in the villages.
- b) Kendu trees are available in plenty. Kendu leaves are also dried and sold in bidi (native smoking sticks) manufacturing units. Often they themselves are engaged in production of bidis in village houses. Agents from outside of the forest provide tobacco to the cottage based bidi units and collect the products. Kendu fruits are lucrative and have a steady sell in markets. The fruits are used for preparation of jelly, pickles etc.
- c) Plenty of mushrooms grow in the months when moisture content is high in weather. These mushrooms are both eaten and sold by the villagers. Recently mushrooms are also being cultivated in forest and in house compounds.
- d) Good number of Mahua, Piyal, Haritaki, Kurchi and some other plants are available in this region. These plants have multiple uses. Mostly they are known as medicinal plants. Their fruit, leaves, barks, shoots, juices – all are used in various ways. The forest villagers collect these and sell those to government or private agents. They also use some of these fruits for preparation of local hard drinks for their own consumption.
- e) Aswagandha, ghritakumari, bel, satmul, asoke, sarpagandha, belladonna, dhutara, kurchi, Kuchila, indrajab, helencha, kalmi, kotbel etc. are the major herbs available in the forests of these areas. These all are used as medicinal plants and forest dwellers collect and sell those.
- f) Babui grass is considered an important forest resource. Many forest dwellers are engaged in collection of the grass. After simple processing of these grasses, many of them prepare ropes. Ropes are valuable commodity in markets.

- g) There are plenty of Asan trees where tasar cocoons are cultivated. The insects are nurtured on the plants by the villagers. The insects eat the tree leaves and form cocoons which are collected by villagers. The cocoons are processed elsewhere to produce high quality silk (tasar) threads.



- h) A good amount of bamboo plants naturally grow in common forest land. Again forest villagers also cultivate bamboo plants in forest land. The forest villagers have been using and selling these bamboos since ages. This is an important source of living. However, there are some confusion regarding collection and use of bamboos. Forest department often restrict such collection and seize those from the villagers. Bamboo is considered a non-timber forest produce under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA). However, an amendment of Indian Forest Act prohibits felling of bamboos in forest land. But this prohibition should apply for people who are not forest dwellers.
- i) There are natural water bodies, ponds, streams and reservoirs (called dams) in forests of these areas. Fish is an important produce in these waters. In most cases the forest villagers collect limited amount of these naturally grown fish stock with benign gears. Usually the collection belongs to the persons who capture those fish. However, in some villages, the villagers themselves have formed groups and use these water bodies and reservoirs for fish farming. Usually the larger water bodies

are potential to yield good amount of fish. The beneficiary committees formed by the forest fish workers invest resource for fish farming and then distribute the profit earned from sell of the fish among the villagers engaged in fish farming. Through organized efforts, community initiatives of fish farming in many forest villages are increasing day by day.



- j) Forest Department takes initiative for plantation and other forest related activities inside the forest and engages the villagers under various schemes through Forest Protection Committees and Eco Development Committees. These even include production of timber by felling of trees of specific areas designated by the Forest Department for plantation and production of timber.

There are many more activities performed by the villagers depending upon common forest resources. Listing of all those may produce an interesting document for sociological study. However concern of this study is to see whether these traditional practices are recognized as the rights of the forest dwellers.

Mapping of Common Forest Resources

Surveyors probed whether the villagers are aware about the areas of their villages and adjacent forest where they use to earn their livelihood. The groups representing the villages were found unaware about existence of any map delineating the forest villages along with the adjacent forest areas where they earn their livelihood. Of course they are aware of mouza maps. But these maps include both forest and non-forest areas including common and individual properties. But existence of maps delineating common forest resources are not known to them. Villagers of 82 villages gave rough idea about the areas of their operation. In case of 90 villages, the representing groups have no idea about the areas of operation. They simply know that their livelihood activities are dependent on the common resources inside and outskirts of their villages. Those, who have given rough estimate of areas, informed that the livelihood practices on common forest resources are carried on in an average in 5 hectares. But it varies even from 2 hectares to 30 hectares.

Some indicators were selected to understand the common forest resources of these forest villages. Those include water resource, pastoral land, places of worship, playgrounds etc.

Surveyors probed about common water resources which are part of the forest. It may be made clear that the probe was not meant for availability of drinking water. Drinking water is of course an issue in these villages because these are dry areas. But the issue of drinking water is generally taken care of by Panchayets or other government departments. The current probe was to ascertain availability of common water resources which are linked with livelihood activities. It was ascertained that common water resource is available in 114 villages, whereas groups representing rest informed that there were no common water resource in their villages. Common water resources were identified in 3 categories – (a) rivers; (b) canals and streams; (c) water bodies and reservoirs (they call dams). The survey revealed 18 villages are adjacent to rivers. Here the rivers mentioned by the representing groups of the villages stand for the distinct water streams connected to Subarnarekha River. Small canal and streams are available adjacent to 21 villages. 88 villages have 103 water bodies or reservoirs / dams. Fish in rivers have reduced due to pollution in Subarnarekha. But canals, streams and water bodies still provide a considerable amount of fish. As stated above, apart from practice of capturing by individuals, fishing groups of different villages have started fish farming.

Almost none of the villages have any common identified pastoral land. Positive response received from representing groups of only 13 villages. Others have mentioned that though they have some common pastoral grounds in their villages, sending cattle or livestock to these pastoral lands is a rare practice. Usually people of these villages like to keep their livestock in the vicinity of their houses or in the agricultural lands in lean seasons.

All the villages have at least one common place of worship. In some villages there are more than one common places of worship but there is not a single village where such place of worship is absent. There are total 181 places of worship in these 172 villages.



Many of the villages have distinctly large playgrounds with identified areas. Local clubs organized by the villagers themselves control these playgrounds. Apart from holding of different games, these playgrounds are used for community gatherings, cultural functions and village fairs. Survey revealed total 105 playgrounds are available in 172 villages. In several cases, one playground is used by the villagers of more than one village.

Individual Land in Forest Area

Probe was made to understand how many families hold agricultural land and household land inside forest areas. It was revealed that many of the families are traditional forest dwellers but do not have any agricultural land inside forest under their occupation. Some have agricultural land inside forest under their occupation but resides in areas outside forest land. Among them some are residing traditionally in government non-forest land (khas land) and others in individually owned land (rayat). Basic concern of the survey was to understand how many families occupy forest land for agriculture and household. Areas of occupation by individual families were not considered for recording in survey data as these widely vary from family to family. But it has been noted that any family does not occupy more than one acre of land inside forest. Another point was noted that no one reported any dispute amongst the forest dwelling families regarding holding of these agricultural lands in forest area. Usually these occupied agricultural lands of the forest dwellers are situated in one or two clusters inside the forest areas. The following tables give an idea of occupation of agricultural land and household land -

Table 5 - Number of Families Occupying Agricultural Land in Forest Areas			
Social Groups	No. of Families	No. of Families Holding Agricultural Land	% of Families Holding Agricultural Land
ST	6182	3012	49%
PVTG	1606	758	47%
SC	4122	1602	39%
Others	8296	1456	18%
Total	20206	6828	

Forest dwellers traditionally cultivate paddy, wheat, millet, maize etc. Capacity of cultivation usually depends upon availability of water. Generally this part of West Bengal is relatively very dry. Panchayets have arranged some pumping facilities to bring water from streams, reservoirs and water bodies. Still, in most of the lands, only one crop is produced. Now there is a growing trend to produce vegetables throughout the year if water can be managed. Those who do not have agricultural land predominantly resort to common forest resources for their living. Some may work outside but traditionally live in the village. Produces from agriculture in the forest are consumed mostly at subsistence level by the families themselves.

It was generally probed to understand whether there is increasing pressure on forest to increase agricultural land with a proportion to increase in population. Some of the responding groups replied affirmative. They explained that the number of members in the families is increasing. Families are also getting divided. So they need more agricultural land. Some forest covered areas adjacent to the clusters of existing agricultural blocks are being cleared and agriculture is extended. Though there is huge objection of the Forest Department, such restricted extensions are taking place.

But majority of the responding groups mentioned that this trend is negligible. They



mentioned that agriculture in forest is not lucrative. Apart from natural constraints, one has to arrange investment and face risk. Rather incomes from common forest resources are more stable and free of risk. Also there is a trend that the present generation, particularly

those who are getting education, are trying to earn from outside. So, the practice in agriculture has not been changed over the years.

Lands for households are occupied by many more families, who do not have agricultural land but depend upon common forest resources.

Table 6 - Number of Families Occupying Household Land in Forest Areas			
Social Groups	No. of Families	No. of Families Holding Household Land	% of Families Holding Household Land
ST	6182	4232	68%
PVTG	1606	1214	75%
SC	4122	2512	60%
Others	8296	1520	18%
Total	20206	9478	

Houses are mainly mud built with thatched roof with hay. Several families have managed to change the roof material and use tiles or corrugated iron to avoid regular replacement of hay. Most of the houses in forest villages have a courtyard fenced with canes or shrubs. There are families who traditionally depend on forest for their livelihood but do not have any household land inside forest land. They use to live on government land (khas) adjacent to forest. Some even hold ownership of household land (rayat). Table above shows only those who traditionally have their homestead land inside forest land.

From time to time both central and state governments run schemes to provide housing to the poor people. Currently the most functional scheme, which is operating, is named as “Nija Griha, Nija Bhoomi” (own house, own land). Around 2 - 3% of the forest villagers who are residing traditionally in the forest fringe areas have received the benefit. They have received land patta (user right) for a piece of homestead land. Some of them also received support for housing on that piece of land. So these forest villages are composed of families who are traditionally residing in forest land, traditionally residing in non-forest government land, received patta or user right for home land and have full ownership of their household land.

Recognition of Forest Rights - Community Forest Rights (CFR)

This was the most crucial topic probed by the surveyors. All the responding groups were asked the following questions -

1. Is there any Gram Sabha formed by the forest dwellers living on forest resources in respective villages according to Forest Rights Act?
2. If yes, is there any regular meeting of Gram Sabha held?
3. Is there any Forest Rights Committee elected by the Gram Sabha?
4. If yes, whether they are active to secure the rights of the forest dwellers?

One will be utterly dismayed to know that the reply of the **first question** received from every responding group is ‘**NO**’. The villagers in any village do not know the existence of any Gram Sabha in their villages. Taking part is another matter. So the following three questions get **null and void**. Most of the forest villagers may be more than 99.9%, are not aware that they have the right to form Gram Sabha, elect Forest Rights Committee, take part in management of the forest where they dwell, claim recognition of their holdings.

Even, local authorities among PRIs (Panchayat Raj Institutions) have not taken any initiative to convene Gram Sabha at forest village level. It is not that they are generally against implementation of the Act. The due work remains undone due to overwhelming lack of awareness, absence of any specific direction from the higher bodies and apathy of the higher officials in the government departments. Confusion was created by the past Left Front Government that Forest Rights Committees would be formed by Gram Sansad, which is actually the electoral constituencies of a Gram Panchayat. Such Gram Panchayats cover large area, several numbers of villages, both forest and non-forest areas and people dependent upon many forest and non-forest, both kinds of occupations. But the confusion still prevails among the higher officials.

In its one of the most important documents, "Implementation of Forest Rights Act" dated 23-24 Sept 2013, the Ministry of Tribal Affairs clarified "Constitution of village/hamlet/habitation level Gram Sabhas: The Gram Sabha is the key authority under the Act, and therefore, constitution of village level Gram Sabhas and their empowerment is fundamental. The Act does not provide for Gram Sabha meetings to be held at the Panchayat level. Such meetings should be held at the level of actual villages or hamlets. The procedure for identification of these villages/hamlets is provided in the amended Rule 28. This is yet to be adhered to in many states"

Before that, the Minister of Tribal Affairs Mr. V Kishore Chandra Deo, after establishment of Trinamul Congress Government, had drawn attention of Smt. Mamata Banerjee, Chief Minister through a DO letter dated 28.2.2013 (Annexure 3) clearly explaining "It has also been brought to my notice that the Government of West Bengal by order no. 122/PN/O/1/1A-2/07 dated 17.3.2008 issued that Forest Rights Committees should be formed at the **Gram Samsad level**. As per West Bengal Panchayet Act 1973, Gram Sansads are the electoral constituencies of Gram Panchayat which may consist of more than one village. However, Forest Rights Act defines Gram Sabha at village level or at the habitation level and constitution of Forest Rights Committee at the level of Gram Sabha." Some of the officers still argue that there are Gram Sabhas because there are Gram Samsads. The forest dependent villagers do not know at all how to take part in these so called "Gram Sabhas", how to form Forest Rights Committees among the participants (when other participants are mostly non-forest dependents), how to raise the issues of claims in such Samsads. **Therefore it proves impossible to implement Forest Rights Act under these circumstances.**

We have mentioned above that the other replies get **null and void**. We have not mentioned that all the replies of other questions were NO. Say for example, to our question 3, “Is there any Forest Rights Committee elected by the Gram Sabha?” several representing groups replied affirmative.

Then the surveyors probed – how could it be possible? How without formation of Gram Sabha, Forest Rights Committee may be present? Going into detail, it could be ascertained that the villagers do not give importance to the second part of the question “elected by Gram Sabha”. They mostly give attention to the first part of the question “Is there any Forest Rights Committees” and they affirm. Actually they are aware about existence of one committee which implements decisions of forest department in forest villages. These are actually ‘Forest Protection Committees’ (FPC) or ‘Eco-development Committees’ (EDC). Sometimes these are known as JFM committees. These were introduced when the Joint Forest Management programmes were introduced.^{vi} The term Joint Forest Management is a misnomer. Actually Forest Department conducts one or other programmes or projects where forest villagers are allowed to work. Apart from wages, in some cases the forest villagers are given share of profit from sales of the forest produces. These include timber, which are produced in designated forests under control of Forest Department and also many other minor produces. Usually villagers’ portion is 25% with a few exceptions. Under JFM programme other activities like plantation, sericulture, pisciculture etc. are also taken up. In all these programmes, decisions are taken unilaterally by the Forest Department or any other government agency. FPCs and EDCs are merely implementing bodies appointed by Forest Department. When villagers say “yes, there is a committee”, they actually refer to this committee.

One can naturally understand that when there is no Gram Sabha present, no meeting of Gram Sabha takes place, no elected Forest Rights Committee does not function, there the claims for Community Forest Rights and Individual Forest Rights cannot be prepared and processed. Possibility of submission and consideration of **claims** is far off. Sporadic efforts of some NGOs and community organisations could spread information and develop awareness in a very few selected villages. Some efforts were also taken to influence respective Panchayets to convene Gram Sabha. But these efforts suffer lack of coherence and sustained energy. Due to complete apathy and non-cooperation of the government departments, these efforts have yet not yield any success.

So when few responding groups replied “yes” to question 3 mentioned above, question No. 4 was never “yes” from any of these groups. The committees they referred do not have anything to protect their forest rights. These FPCs and EDCs, appointed by Forest Department, only provide some jobs and implement some schemes in the forest under the authority of Forest Department. **One can conclude that there is no Gram Sabha and Forest Rights Committees who should enjoy the right to identify and map the common resources of the respective villages and exercise its power to protect, promote and sustainably use the common resources. Forest Rights Act is not being implemented.**

Recognition of Forest Rights - Individual Forest Rights on forest land

Status of recognition of individual or family rights, both for agricultural and homestead land, is even more complicated. It is obvious that when there is no government action for implementation of Forest Rights Act, families living traditionally in forest villages may not have any ownership or recognized right on land under Forest Rights Act. But at least 32 responding groups informed the surveyors that forest dwellers have received land patta. 105 groups have informed that they do not have any knowledge about this. Others have expressed their confusion that some land deed have been given to some families but whether that is ownership or something else that they do not know. Some of the persons taking part in the responding groups informed that they themselves received such ‘land patta’. At the same time they informed that many of the pattas were given for land which is not occupied by the respective families.

Naturally the next task of the surveyors was to check such documents through which so called land pattas were distributed. Unfortunately only one of them could provide such document (Annexure 4 – Aditya Nayek of Patina GP). As the documents were 4 to 5 years old and did not have any significance to them, most of them kept it without care or misplaced those. The attached document is not very legible due to this reason. However the survey team could manage to collect similar documents from forest dwellers of other blocks and probed what happened.

It was seen that language of these documents was English and well composed with correct terminology. Separate deeds were issued to certain individuals recognizing rights for agricultural and homestead land (Annexure 5 and 6). Some portions of these documents are being quoted as reference of the discourse. The headline of the documents reads –

TITLE FOR FOREST LAND UNDER OCCUPATION

[Under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2008]

Thereafter the details of the person and the land under occupation have been properly given with specified columns.

Regarding conferring of rights it is clearly and correctly written *“This title is heritable but not alienable or transferable under sub-section (4) of the section 4 of the Act. We, the undersigned, hereby, for and on behalf of the Government of West Bengal affix our signatures to confirm the above forest right.”*

There is provision of signatures of 4 government authorities – (a) Divisional Forest Officer / Dy. Conservator of Forest; (b) Project Officer– cum–District Welfare Officer, BCW (Backward Class Welfare), Paschim Medinipur; (c) Additional District Magistrate & D.L.L & R.O Paschim Medinipur; (d) District Collector / Deputy Commissioner.

It is understood that the document was prepared before Jhargram District was formed (4 April 2017). Before that Jhargram was part of Paschim Medinipur district.

Unfortunately, **neither there was any reference number nor any date mentioned** in these very important documents. One may assume that it was an inadvertent mistake for a particular document. But scrutiny of such documents, one after other, revealed that none of such document bears any reference or file number and date.

Though the documents are supposed to be signed by 4 officials, each and every document had been signed by first three and the signature of the 4th one, the signature of the District Collector, is absent. But every such document conspicuously bears the same vacant space.

So it is obvious that in the name of distributing documents of land rights, some invalid papers were widely distributed among the forest dwellers, who received such document and who had reasons to believe that these were their **land deed**.

But these are not exceptional cases. The survey team came across hundreds of such instances. The responding groups confirmed that there are many more families faced the same situation. They reported that distribution ceremony of such so called *Titles* took place holding camps in political meetings, sometimes in presence of the Chief

Minister. It may be assumed or even believed that the figures of **claim settlement** in the state, submitted by the State Government to the Central Government and the Supreme Court from time to time showcased these cases. Otherwise any district-wise or block-wise data of claim settlement in West Bengal is not available in public domain. Both the website of Backward Class Welfare Department and Tribal Welfare Department of West Bengal do not have any information regarding implementation of FRA.

What is happening at the ground level? Were the recipients of these undated *Titles* without reference number and date happy? Of course many of them were very happy. They were happy because, for whatever reason may be, they were invited in the distribution ceremonies and some kind of *Patta* or *Title* was given to them. After a certain period, most of them got bewildered when they came to know that the details of the land mentioned in those *Patta* or *Title* do not match with the land they were traditionally occupying over the years. Mr. A got a *Title* for the land X, which is being traditionally occupied and used by Mr. B. Again Mr. B got a *Title* for the land Y which is being occupied and used by Mr. C. Any move for getting possession of the land as per the given documents means creating dispute among the dwellers themselves what is generally absent in the forest villages. One may wonder how such confusions were created. This had happened simply because any claim was not submitted by the villagers themselves. All these documents were prepared unilaterally and without application of mind by the sections of authorities to hold distribution camps in urgent manner. What happened to the so called documents? They were kept lying with the villagers just as a paper sheet. Many of them have lost those. They continued to occupy and use the land in the way they were occupying over the years. Of course mentioning of the details of land was not incorrect in all the documents. There were more than 50% of such documents where the details of land were correctly mentioned. Still the question regarding validity of such documents remains because the reference number, date and one of the four signatures in each of the documents were absent.

But the misery does not end here. Many of the recipients of such documents were served notice after 4 or 5 years, (this time properly dated) by the Block Development Officers, asking to visit respective Gram Panchayat office on a given date with the '**original document**'. An example of such a notice is annexed (Annexure 7). The language of this notice is Bengali. This particular notice was served to same Gopal Mallick whose documents have been annexed earlier. The notice dated 25.7.18 reads, *"Sir, It is ascertained from our office record that the Forest Department gave you a Patta. You are requested to be present at your Gram Panchayet office on 30.7.18 at 10 AM with the original copy of the said Patta for inclusion in the records."*

Gopal Mallick, belonging to Lodha, a Particularly Vulnerable Tribal Group (PVTG), visited Panchayet office on specified date and showed the original copy of the document. He was told that inspection would be carried by the BDO office. After few days, inspection was duly conducted by representative of BDO and Gopal Mallick was assured that they would be delivered another document of land title. But since then, any other document has not been received by him within these two years.

But something happened in different form. In case of Gopal, mentioning of details of land in the first *Title* document was correct. He did not have any confusion in regard to land area. He had planted bamboo plants in this traditionally occupied land. In April 20, when he was cutting the bamboo plants for renovation of his house, Forest Department objected and seized those bamboos. They did not pay any heed to the prayer that bamboos were planted in his own land for which he was given *Title of Recognition* and also bamboo felling by the forest dwellers inside the forest is not illegal. Gopal and his family members were threatened that a huge fine would be imposed next time. Some fine has already been imposed.

In many cases, Forest Department started projects of planting medicinal plants in the lands for which so called *Titles of Recognition* were already given. They do not ask for any consent from the existing occupiers of the land, in spite of distribution of Title deeds of Recognition. There are several allegations received from the villagers that Forest Department often start plantation project blocking the way of the villagers from villages to their agricultural land or to the common forest land. The long list of such allegations of violations and atrocities may be documented in another research paper. Here we shall confine ourselves into ascertaining whether and how Forest Rights Act is being implemented.

If we consider that the title deeds for the occupied agricultural and homestead lands of the forest dwellers were properly numbered, dated and all the signatures were available in the deeds, even then did that indicate that FRA was properly implemented? Are these documents product of consent of any Gram Sabha or any Forest Rights Committee? Chapter IV Article 6 (1) of the Act clearly says, **"The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim**

in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.” All the responding groups in all the villages under survey confirmed that no such process has been adopted in their villages and no Gram Sabha exists.

Conclusion

This small scale survey reveals that majority of the population in the villages under survey in Nayagram Block are traditionally dependent on forest resources. Their dependence on common resources as well as occupying individual lands for agricultural and home are primary and bona fide. The Forest Rights Act 2006 needs to be implemented here in order to recognize and secure the rights of the forest dependents as well as to safeguard them from unjust and illegal threats of eviction, deforestation and construction. However, awareness regarding the provisions of the Forest Rights Act is almost nil among the villagers and local panchayats. No proper steps have been taken towards the recognition of community forest rights in accordance with the provisions of the law, rather steps that have been taken by part of the administration in the name of recognition of individual rights on agricultural and homestead land are in contradiction and in violation of the provisions of the Forest Rights Act, 2006 and Forest Rights Rules, 2007.

We therefore recommend that:

1. Widespread awareness is to be generated among the forest villagers and at every stage of administration including workers and authorities of Panchayat, Land Department, Forest Department and the offices of the BDOs and SDOs
2. Government should issue instruction to the Panchayats to hold meeting of Gram Sabha at every forest village level and start functioning of Gram Sabha
3. Forest Rights Committees should be elected by the Gram Sabhas and given responsibility of preparation of the maps of the village areas and common forest resources for submission of claims of Common Forest Rights according to FRA.
4. Sub-Divisional Level Committee and particularly SDO office should extend all sorts of cooperation to the Gram Sabhas and develop capacities to help them to prepare map of common forest resources and submit the claims of CFR of the village.
5. Sub-Divisional Level Committee and particularly SDO office should extend all sorts of cooperation to the Forest Rights Committees to develop their capacity to

help the villagers to prepare individual claims of common resources as well as agricultural and homestead lands.

6. Gram Sabhas should be capacitated to receive all the claims prepared by the FRCs, verify and consolidate them, check the maps delineating the areas of each claim and pass a resolution with recommendation. Thereafter a copy of the same with all documents should be passed to the Sub-Divisional Level Committee formed by the State Government.

Sub-Divisional Committees will consider and dispose the petitions. There are further procedures which are clearly laid down in the Act and the Rules. The above recommendations suggest the minimum steps which are required to start implementation of the FRA.

ⁱFrom the RTI replies received by DISHA [records are kept with DISHA]; it was found out that when reporting to Backward Classes Welfare Department, West Bengal, the nodal authority to implement Forest Rights Act, 2006 in West Bengal, the District Administration in South 24 Parganas (vide letter dated 16.10.2009) as well as North 24 Parganas (vide letter dated 13.10.2009) stated no claims were received either for individual residential status nor for community forest rights. Whereas no Gram Sabha or FRC was convened, how the District Administration of North 24 Parganas and South 24 Parganas arrived at the finding of 'no claim', remains inexplicable.

Further when these points were discussed during the 3rd Meeting of State Level Monitoring Committee, held on 22.10.2009 the said district authorities were directed to re-examine the issues and to give wider publicity to the laws. However, there were no directions on seeing whether formation of Gram Sabha and Forest Rights Committees have taken place or not.

ⁱⁱⁱFrom the RTI replies available with DISHA, [records are kept with DISHA] a tabular sheet was obtained which contained the status report for implementation of Forest Rights Act, 2006 in West Bengal (as on 16/07/2009). The said status report contained total number of District Level Committees, Sub-Division Level Committees, Forest Rights Committees; total number of claims received, enquired/finalized and rejected for both individual claimants as well as community; total number of patta distributed and ready to be distributed to both persons belonging to Scheduled Tribes category as well as non-Scheduled Tribes and total quantum of land of finalized cases in respect of 12 districts.

It is interesting to note that as on 16/07/2009, as per this status report, Paschim Medinipur district (Jhargram was originally part of Paschim Medinipur district before 4th April, 2017) had 775 FRCs. Out of 41772 individual claims received from persons belonging to ST classification, 30820 claims were enquired into and 10133 were rejected. Furthermore, out of 1239 claims of Community Forest Resources received, 461 were finalized and 26 were rejected. How the applications were accepted, what caused rejection, etc. details were not made available.

It is pertinent to highlight here that since the bi-furcation of the Backward Classes Welfare Department, a new Tribal Development Department has been constituted with the task of implementing the Forest Rights Act. The Annual Report 2013-14 that is available on the website of the said Tribal Development Department states as far as the status of FRA implementation in Paschim Medinipur, 6534 pattas has been distributed to individuals and 9 pattas to community. The report may be accessed at this URL - <http://adibasikalyan.gov.in/pdf/tdd-aar-13-14.pdf>. After that no other report or information was available in the public domain.

ⁱⁱⁱSee Monthly Update on status of implementation of Forest Rights Act, 2006 from the website of Ministry of Tribal Affairs, Government of India, available at <https://tribal.nic.in/FRA/data/MPRMar2020.pdf>

^{iv}See Order dated 13.02.2019 in the matter of Wildlife First & Ors. v Ministry of Forest and Environment & Ors., available on the Supreme Court website from this link https://main.sci.gov.in/supremecourt/2008/8640/8640_2008_Order_13-Feb-2019.pdf. It is alarming to note that as per minutes of the meeting held on 24th February, 2020 with Ministry of Tribal Affairs and representatives of all states concerned, including West Bengal; the rate of rejection of claims after review in West Bengal is almost 92%. The said meeting minutes may be accessed from the website of Ministry of Tribal Affairs from the URL - <https://tribal.nic.in/FRA/data/RejectedClaims02072020.pdf>

^vThe SPIO, Backward Classes Welfare Department, West Bengal stated to the researcher of DISHA in an RTI reply [records are kept with DISHA] dated 21/08/2015 that all the districts in West Bengal were brought under the purview of Forest Rights Act and 11 districts were identified where there were scopes of getting eligible cases. That in 3 districts, namely Malda, South 24 Parganas and North 24 Parganas, “also have some forest lands where there might be scope for implementation of the provisions of the Forest Rights Act, 2006”

See also, the website of Tribal Development Department, Government of West Bengal, wherein in the section titled, ‘Identification of the scope of the work’ in the webpage, it is mentioned that, “Out of the 18 Districts of the State, 12 districts are identified where there is a scope of implementation of the provisions of the Forest Rights Act. They are: - Purulia, Bankura, Paschim Medinipur, Jalpaiguri, Burdwan, Cooch Behar, Hooghly, Birbhum, Darjeeling, Murshidabad and Nadia”. The webpage and website can be accessed at this URL - <http://adibasikalyan.gov.in/html/fra.php>. Thus it is evident that despite the answer of BCW department, Govt. of West Bengal in 2015 that all districts in West Bengal are eligible and that there might be scope for implementation of FRA in North and South 24 Parganas, these two districts remain outside the purview of the implementation of the Forest Rights Act till date.

^{vi}See JFMC resolutions from the website of Forest Department, Govt. of West Bengal, available at the URL - <http://www.westbengalforest.gov.in/upload/actrules/JFMC.pdf>

List of Villages Surveyed		
GP	Village	Mouza
Baranigui	Rangamatia	Rangamatia
Baranigui	Chotodhanshola	Chotodhanshola
Baranigui	Parashia	Parashia
Baranigui	Bandhgora	Bandhgora
Baranigui	Haripur	Haripur
Baranigui	Kenduboni	Kenduboni
Baranigui	Ramchandrapur	Ramchandrapur
Baranigui	Jamboni	Jamboni
Baranigui	Marchi	Baradhansola
Baranigui	Barashol	Barashol
Baranigui	Heliadiha	Heliadiha
Baranigui	Amlabara	Amlabara
Baranigui	Bhaluktara	Baranigui
Baranigui	Baranigui	Baranigui
Baranigui	Jamsola	Jamsola
Baranigui	Banisol	Banisol
Baranigui	Ostiya	Ostiya
Baranigui	Talpada	Talpada
Baranigui	Hatitop	Hatitop
Baranigui	Tentulia	Tentulia
Barakhakri	Thuria	Thuria
Barakhakri	Bachur Khoar	Bachur Khoar
Barakhakri	Nuasai	Bachur Khoar
Barakhakri	Barhdangha	Bachur Khoar
Barakhakri	Tiakathi	Tiakhati
Barakhakri	Deulbar Paschim	Deulbarh
Barakhakri	Deulbar Purba	Deulbarh
Barakhakri	Khandar Para	Khandar para
Barakhakri	Kuthi Sai	Raghunathpur
Barakhakri	Kia Jharia	Kia Jharia
Barakhakri	Totasai Purba	Totasai
Barakhakri	Totasai Paschim	Totasai
Barakhakri	Darfuli	Darfuli
Barakhakri	Runkunimara	Runkunimara
Barakhakri	Namoshol	Namoshol
Barakhakri	Bhururboni	Bhururboni
Barakhakri	Kadamdiha	Kadamdiha
Barakhakri	Damdashol	Kadamdiha
Barakhakri	Kantagaria	Rabandihi
Barakhakri	Bhulaseni	Bhulaseni
Barakhakri	Bhaliaghati	Bhaliaghati
Barakhakri	Baishbatia	Baishbatia

Chandabila	Barashol	Tapoban
Chandabila	Darkuli	Darkuli
Chandabila	Pathardohra	Pathardohra
Chandabila	Taponban	Tapoban
Chandabila	Rayshol	Rayshol
Chandabila	Purnapani	Purnapani
Chandabila	Nichu Bankinala	Nichu Bankinala
Chandabila	Upar Bankinala	Upar Bankinala
Chandabila	Pukuria	Pukuria
Chandabila	Gokhurpal	Gokhurpal
Chandabila	Nigui (Choto)	Nigui (Choto)
Chandabila	Naroda	Naroda
Chandabila	Tungadua	Tungadua
Chandabila	Pachakhali	Pchakhali
Chandabila	Gorurghata	Gorurghata
Chandabila	Telia	Telia
Chandabila	Kuldiha	Kuldiha
Chandabila	Dulki	Dulki
Chandabila	Kalia	Kalia
Chandabila	Payrabhari	Payrabhari
Chandabila	Katal	Katal
Chandabila	Gulfa	Gulfa
Chandabila	Talakuldiha	Talakuldiha
Chandabila	Kadokotha	Kadokotha
Chandabila	Chandbila	Chandbila
Chandabila	Kendudiha	Kendudiha
Chandabila	Atheldiha	Atheldiha
Chandabila	Murakati	Murakati
Chandabila	Bhalugajori	Bhalugajori
Chandabila	Khasjangal	Khasjangal
Jamirapal	Atmajhia	Atmajhia
Jamirapal	Pachagaria	Pachagaria
Jamirapal	Gangtaboni	Gangtaboni
Jamirapal	Gopinathpur	Gopinathpur
Jamirapal	Bhangabandh	Bhangabandh
Jamirapal	Banspar	Banspar
Jamirapal	Jamboni	Jamboni
Jamirapal	Karasai	Karasai
Jamirapal	Sujnakhali O Angaragaria	Bhuasai
Jamirapal	Raisol	Raisol
Jamirapal	Kandaghasa	Kandaghasa
Jamirapal	Khudmarai	Khudmarai
Jamirapal	Junbani	Junbani
Jamirapal	Jagannathpur	Jagannathpur
Jamirapal	Jamirapal	Jamirapal
Jamirapal	Jadukotha	Jadukotha

Jamirapal	Sirishbani	Sirishbani
Jamirapal	Dojala	Dojala
Jamirapal	Kuldaha	Kuldaha
Jamirapal	Tikarapara	Tikarapara
Jamirapal	Dirikeda	Dirikeda
Jamirapal	Kumarpur	Kumarpur
Jamirapal	Nechiasai	Nechiasai
Jamirapal	Kusumkuria	Kusumkuria
Kharika	Amjam	Amjam
Kharika	Dafora	Dafora
Kharika	Bansiasol	Bansiasol
Kharika	Ghagorisol	Ghagorisol
Kharika	Ghorataria	Ghorataria
Kharika	Marapada	Marapada
Kharika	Kuji Otaldiha	Kuji
Kharika	Gohaldiha	Gohaldiha
Kharika	Khanamuri	Khanamuri
Kharika	Panch Kahania	
Kharika	Kadokotha	Kadokotha
Kharika	Jharia	Jharia
Kharika	Kunkrasol	Kunkrasol
Kharika	Dhanshola	Dhanshola
Kharika	Kharia Mathani	Kharia Paschim
Kharika	Kharika	Kharika Purba
Kharika	Baburam Pathra	Baburam Pathra
Kharika	Narasinghapur	Narasinghapur
Kharika	Raja para	Mohuli
Kharika	Bhatbhanga	Bhatbhanga
Kharika	Rangiam (Utar Dakshin)	Rangiam
Malam	Kalmapukhuria (Paschim)	Kalmapukhuria
Malam	Kalmapukhuria (Purba)	Kalmapukhuria
Malam	Kukrakhupi	Kukrakhupi
Malam	Khasjangal	khasjangal
Malam	Banspat	Banspat
Malam	Babuichati (Bagduba)	Babuichati
Malam	Bhaliachati	Bhaliachati
Malam	Chaltabera	Chaltabera
Malam	Bagduba	Bagduba
Malam	Hanrimari (Khasjangal)	Hanrimari
Malam	Kabativol	Kabativol
Malam	Jahanhara	Jahanhara Ausha
Malam	Chumpura	Chumpura (Malam)
Malam	Malam	Malam
Malam	Jadavpur	Jadavpur
Malam	Sukdebpur	Sukdebpur (Sonadhua)
Malam	Narasinghapur	Narasinghapur

Malam	Ichhapura	Ichhapura
Malam	Jharia	Jharia
Malam	Banshiashol	Banshiashol
Malam	Kharshola	Kharshola
Nayagram	Nilaschintapur	Tupuria
Nayagram	Tupuria	Tupuria
Nayagram	Jata	Jata
Nayagram	Kamalapur (Unchu)	Kamalapur
Nayagram	Kamalapur (Nichu)	Kamalapur
Nayagram	Natunsai	Sitalpura
Nayagram	Karhashol	Sitalpura
Nayagram	Kamalatota	Kamalatota
Nayagram	Roybera	Roybera
Nayagram	Nemainagar	Nemainagar
Nayagram	Uthan Nayagram	Uthan Nayagram
Nayagram	Dahi	Dahi
Nayagram	Kurchiboni	Kurchiboni
Nayagram	Begunadahi	Begunadahi (Nayagram Dakshin)
Nayagram	Nayagram Uttar	Nayagram
Nayagram	Sitalkura	Sitalkura
Patina	Barpat	Barpat
Patina	Jamrubhutu	Jamrubhutu
Patina	Rangamatia	Rangamatia
Patina	Rukmini	Rukmini
Patina	Banshiabhol	Banshiabhol
Patina	Chamarbandh	Chamarbandh
Patina	Pakbithi	Khasjangal 6
Patina	Jamshola	Jamshola
Patina	Nichu Patina	Patina
Patina	Upar Patina	Upar Patina
Patina	Singdhui	Singdhui
Patina	Chakusai	Chakusai
Patina	Pratappur	Pratappur
Patina	Taldangra GP	Taldangra GP
Patina	Phulboni	Phulboni
Patina	Bihankuria	Bihankuria
Patina	Damodarpur	Damodarpur
Patina	Rajpahari	Rajpahari

F.No.19/17/2018-Livelihood
Government of India
Ministry of Tribal Affairs

Jeevan Tara Bldg., Sansad Marg,
New Delhi, dated: 1st May, 2020

To,

The Principal Secretaries / Secretaries / Commissioners
Tribal Welfare Department, All States

Subject: Revision of Minimum Support Price (MSP) for Minor Forest Produce (MFP) under the Centrally Sponsored Scheme titled "Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and development of value chain of MFP" – regarding.

Sir / Madam,

I am directed to refer to this ministry's letter of even number dated 11th January, 2019 on the above subject informing about the inclusion of some additional MFP items in the scheme along with their MSP as also about the revised MSP of the MFP items that were already covered under the scheme.

2. While the guidelines of the above mentioned scheme stipulate that the MSP for MFPs be reviewed once every three years by the Pricing Cell constituted under the aegis of this Ministry, in view of the exceptional and very difficult circumstances currently prevailing in the country on account of the COVID-19 pandemic, and the potential of the instant scheme to offer the much needed support to the tribal MFP gatherers, the competent authority has decided to relax the existing provisions in the scheme guidelines and effect revision of MSP in respect of the MFP items currently covered under the scheme after due consultation with the MFP Pricing Cell and some of the major MFP-rich States as under:-

(in Rupees per Kg.)

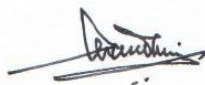
S. No.	Minor Forest Produce (MFP)	Existing MSP	Revised MSP to be effective now
1	Tamarind (with seeds) (Tamarindus indica)	31	36
2	Wild Honey	195	225
3	Gum Karaya (Sterculia urens)	98	114
4	Karanj seed (Pongamia pinnata)	19	22
5	Sal seed (Shorea robusta)	20	20
6	Mahua seed (Madhuca longifolia)	25	29
7	Sal leaves (Shorea robusta)	30	35
8	Chironji pods with seeds (Buchanania lanzan)	109	126

Contd.....



9	Myrobalan (<i>Terminalia chebula</i>)	15	15
10 A	Rangeeni Lac	130	200
10 B	Kusumi Lac	203	275
11	Kusum seeds (<i>Schleichera oleosa</i>)	20	23
12	Neem seeds (<i>Azadirachta indica</i>)	23	27
13	Puwad seeds (<i>Cassia tora</i>)	14	16
14	Baheda (<i>Terminalia bellirica</i>)	17	17
15	Hill Broom Grass (<i>Thysanolaena maxima</i>)	30	50
16	Dry Shikakai Pods (<i>Acacia concinna</i>)	43	50
17	Bael pulp (Dried) (<i>Aegle marmelos</i>)	27	30
18	Nagarmotha (<i>Cyperus rotundas</i>)	27	30
19	Shatavari Roots (Dried) (<i>Asparagus racemosus</i>)	92	107
20	Gudmar / Madhunashini (<i>Gymnema sylvestre</i>)	35	41
21	Kalmegh (<i>Andrographis paniculata</i>)	33	35
22	Tamarind (De-seeded) (<i>Tamarindus indica</i>)	54	63
23	Guggul (exudates)	700	812
24	Mahua Flowers (dried) (<i>Madhuca longifolia</i>)	17	30
25	Tejpatta (dried) (<i>Cinnamomum tamala</i> and <i>Cinnamomum</i> sp.)	33	40
26	Jamun dried seeds (<i>Syzygium cumini</i>)	36	42
27	Dried Amla pulp (deseeded) (<i>Phyllanthus emblica</i>)	45	52
28	Marking Nut (<i>Semecarpus anacardium</i>)	8	9
29	Soap Nut (dried) (<i>Sapindus emarginatus</i>)	12	14
30	Bhava seed/ (Amaltas) (<i>Cassia fistula</i>)	11	13
31	Arjuna Bark (<i>Terminalia arjuna</i>)	18	21
32	Kokum (Dry) (<i>Garcinia indica</i>)	25	29
33	Giloe (<i>Tinospora cordifolia</i>)	21	40
34	Kaunch seed (<i>Mucuna pruriens</i>)	18	21
35	Chirata (<i>Swertia chirayita</i>)	29	34
36	Vaybidding / Vavding (<i>Embelia ribes</i>)	81	94
37	Dhavaiphool dried flowers (<i>Woodfordia floribunda</i>)	32	37
38	Nux Vomica (<i>Strychnos nux vomica</i>)	36	42
39	Ban Tulsi Leaves (dried) (<i>Ocimum tenuiflorum</i>)	19	22
40	Kshirni (<i>Hemidesmus indicus</i>)	30	35
41	Bakul (dried bark) (<i>Mimusops elengii</i>)	40	46

Contd.....



42	Kutaj (dried bark) (Holarrhena pubescens/ H.antidysenterica)	27	31
43	Noni / Aal (dried fruits) (Morinda citrifolia)	15	17
44	Sonapatha/ Syonak pods (Oroxylum indicum)	18	21
45	Chanothi seeds (Abrus precatorius)	39	45
46	Kalihari (dried tubers) (Gloriosa superba)	27	31
47	Makoi (dried fruits) (Solanum nigrum)	21	24
48	Apang plant (Achyranthes aspera)	24	28
49	Sugandhmantri roots/ tubers (Homalomena aromatica)	33	38

3. The MSP of the MFP items as mentioned above shall be operative with immediate effect and shall remain valid till further revision.

4.1. MSP declared by GoI shall be reference MSP for fixing MSP and State Government shall have latitude of 10% of MSP declared by GoI i.e., State can fix MSP upto 10% higher or lower than MSP declared by GoI.

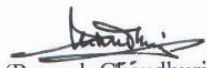
4.2. If a State fixes its MSP higher than MSP declared by GoI as mentioned above and sale price / proceeds falls below that, then the difference between State MSP and MSP declared by GoI will be borne by concerned State Government only.

5. The MSP of the MFP items as mentioned above may be brought to the notice of the State Nodal Agencies and the State Implementing Agencies as they shall be exercised with immediate effect. TRIFED shall keep watch on market prices and display on website besides sharing with the States to facilitate implementation of the scheme. It shall also endeavour to develop market linkage between state agencies (through State Nodal Department) and bulk users / buyers.

6. Strict compliance of instruction issued vide letter dated 22.4.2020 regarding submission of accounts may be made.

7. This issues with the approval of the competent authority.

Yours faithfully,


(Roopak Chaudhuri)
Director
Tel.: 011-23367333

Copy for information and action as deemed appropriate to:

1. The Managing Director, Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED), NCUI Building, IInd Floor, 3, Siri Institutional Area, August Kranti Marg, New Delhi-110016.
2. The Principal Secretaries / Secretaries, Forest Department of all States /UTs.

Contd.....

3. The Managing Directors of STDCCs / FDCs.
4. DDG NIC, Ministry of Tribal Affairs, Jeevan Tara Building, New Delhi.

Copy also to:

1. PS to MTA
2. PS to MoS (TA)
3. PPS to Secretary (TA)
4. PPS to JS (A)
5. PPS to JS(NJK)
6. PPS to JS & FA
7. Director (IFD), MoTA / US (IFD), MoTA
8. US (Livelihood)
9. PA to Director (Livelihood)

A handwritten signature in black ink, appearing to be 'V. K. Singh', written over a horizontal line.

वी. किशोर चन्द्र देव
V. KISHORE CHANDRA DEO



सत्यमेव जयते

मंत्री
जनजातीय कार्य एवं पंचायती राज,
भारत सरकार
शास्त्री भवन, नई दिल्ली 110001
MINISTER OF TRIBAL AFFAIRS
AND PANCHAYATI RAJ
GOVERNMENT OF INDIA
SHASTRI BHAWAN, NEW DELHI-110001

D. O. No. 23011/26/2012-FRA (pt.)
Dated 28th February, 2013

Dear *Ms Manu to Baranjee*,

I am writing this letter to seek your intervention to ensure the implementation of the historic "The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act" (FRA) in the State of West Bengal in its letter and spirit.

1. Ministry of Tribal Affairs has been implementing several schemes for the Welfare of Scheduled Tribes and has also enacted Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The enactment of Forest Rights Act has been hailed as a milestone in the history of empowerment of tribal population and forest dwellers in the country. This landmark legislation was enacted to undo the historical injustice done to the forest dwelling Scheduled Tribes and Other Traditional Forest Dwellers who have been residing in the forests for generations but whose rights could not be recorded earlier and to provide for a framework for recording the Forest Rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.
2. The Ministry of Tribal Affairs has recently issued comprehensive guidelines to all the State/UT Governments on 12th July, 2012 and also notified Amendments to the Forest Rights Rules, 2008 on 6th September, 2012 for facilitating robust and effective implementation of the Act in its letter and spirit.
3. In order to orient the key officials of the State Government about the Amendment in Rules and the way forward, my Ministry had organized five Regional Workshops, nation-wide, during September-November, 2012. The State Government of West Bengal was invited to participate in the first Regional Workshop at Bhubaneswar convened on 21st-22nd September, 2012. The draft State-specific Action plans prepared by the State Governments for implementation of the Act in a time-bound manner were also discussed during these workshops. After completing the round of regional workshops, my Ministry organized a National meeting with all the State Governments, which was chaired by me, on 3rd December, 2012, at New Delhi, at New Delhi to chart out the way forward for the implementation of the FRA which also included discussing the status of implementation of the Act and the final Action Plans of the State.

Cont...2

4. The review of the implementation of this Act in West Bengal revealed that a total number of claims received is 1,37,278 against which only 29,532 (29,424 individuals and 108 community) titles have been distributed. The Act has been also implemented only in four districts of West Bengal so far. In spite of the hand holding and guidance provided to the State Tribal Welfare department, no substantial progress has been made by the State. Action Plan presented by West Bengal point to the fact that no target was specified and no assessment of the volume of work involved was made. The Action Plan also lacked on the following issues:-
- Plan for listing of all possible hamlets or habitants close to forests and the estimate of the amount of work at hand.
 - The steps proposed for taking forward the process of recognition of community claims with emphasis on Community Forest Resource Rights (CFRs) under section 3(1)(i) of the Forest Rights Act.
 - Strategy for formation of committees under Rules 4(1)(e) and the steps for developing conservation and management plans for community forest resources.
 - Plan for post-claim support and hand holding to holders of forest rights.
5. It has also been brought to my notice that Government of West Bengal by order no 122/PN/O/I/1A-2/07 dated 17.03.2008 issued that Forest Rights Committee should be formed at the Gram Sansad level. As per the West Bengal Panchayat Act, 1973, Gram Sansads are the electoral constituencies of Gram Panchayat which may consist of more than one village. However, Forest Rights Act defines Gram Sabha at the village or at the habitation level and constitution of Forest Rights Committee at the level of Gram Sabha.
6. Further the order also mentions that Forest Rights Committee shall act as a functional committee under Gram Unnayan Samiti and it also mentions that Chairperson and the Secretary of Gram Unnayan Samiti shall act as Chairperson and the Secretary of the Forest Rights Committee. It is to bring to your notice that Rules of FRA states that the Gram Sabha shall elect from amongst its members, the Forest Rights Committee (FRC) and FRC shall decide on a chairperson and a secretary and intimate it to the Sub-Divisional Level Committee. Therefore, it is not binding on the FRC to have Chairperson and the Secretary of Gram Unnayan Samiti as Chairperson and the Secretary of the Forest Rights Committee. Keeping in view the provisions of Forest Rights Act and Rules, the West Bengal Government may consider to amend this order and facilitate the process of constitution of Gram and the FRC at the appropriate level as mandated by the Act.

7. I request you to kindly review the situation at your level and direct all the concerned officials in the State to make all out efforts to accomplish the various tasks in a time bound manner so that the benefits of this welfare legislation could reach all forest dwelling communities in the State at the earliest.

With best regards, Yours sincerely,



(V. Kishore Chandra Deo)

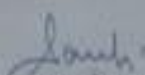
Ms. Mamata Banerjee,
Chief Minister,
Government of West Bengal,
Kolkata.


TITLE FOR FOREST LAND UNDER OCCUPATION

(Under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2002)

1	Name (s) of holder (s) of forest rights (including spouse)	::	Aditya Nayek Mousumi Nayek
2	Name of the father/mother	::	Sujan Nayek
3	Name of the dependents	::	
4	Address	::	Vill - Singdih P.O. - Chamarbandh P.S. - Nayagram Dist. - Paschim Medinipur
5	Village / Gram Sabha	::	Damodarpur
6	Gram Panchayat	::	Patina - 1
7	Tehsil / Taluka	::	Nayagram
8	District	::	Paschim Medinipur
9	Whether Scheduled Tribe or other Traditional Forest Dweller	::	Yes
10	Area	::	118 Deci
11	Description of boundaries by prominent land marks including khasra / compartment no.	::	East West North South
	Mauza	::	Singdih
	J.L. No.	::	14
	Plot No.	::	348

This title is heritable, but not alienable or transferable under sub-section (4) of the section 4 of the Act. We, the undersigned, hereby, for and on behalf of the Government of West Bengal affix our signatures to confirm the above forest right.


Divisional Forest Officer/
Dy. Conservator of Forest


Project Officer-cum-District
Welfare Officer, B.C.W.
Paschim Medinipur


Additional District Magistrate
&
D. L. L. & R. O.
Paschim Medinipur

District Collector/
Deputy Commissioner

TITLE FOR FOREST LAND UNDER OCCUPATION

[Under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006]

1. Name (s) of holder (s) of forest rights (including spouse)	::	Gopal Ch. Mallick
2. Name of the father/mother	::	Late Jatindranath
3. Name of the dependents	::	Haimonti Madhusudan
4. Address	::	Vill : Simoldanga P.O. : Rajabasa P.S. : Jhangram Dist. : Paschim Medinipur
5. Village / Gram Sabha	::	
6. Gram Panchayet	::	Manikpara
7. Tehsil / Taluka	::	Jhangram
8. District	::	Paschim Medinipur
9. Whether Scheduled Tribe or other Traditional Forest Dweller	::	Lodha
10. Area	::	42 Dcml (42)
11. Description of boundaries by prominent land marks including khasra / compartment no.	::	East : West : North : South :
Mouza	::	Kesakotra
J.L. No.	::	561
Plot No.	::	150

This title is heritable, but not alienable or transferable under sub-section (4) of the section 4 of the Act. We, the undersigned, hereby, for and on behalf of the Government of West Bengal affix our signatures to confirm the above forest right.


Divisional Forest Officer/
Dy. Conservator of Forest


Project Officer-cum-District
Welfare Officer, B.C.W.
Paschim Medinipur


Additional District Magistrate
&
D. L. L. & R. O.
Paschim Medinipur

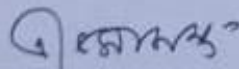
District Collector /
Deputy Commissioner

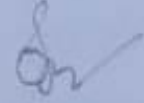
TITLE FOR FOREST LAND UNDER OCCUPATION


[Under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act, 2006]

1. Name (s) of holder (s) of forest rights (including spouse)	::	Gopal Mallick
2. Name of the father/mother	::	Late Jatindranath
3. Name of the dependents	::	Haimonti Madhusudan
4. Address	::	Vill : Simuldanga P.O. : Rajabasa P.S. : Jhargram Dist. : Paschim Medinipur
5. Village / Gram Sabha	::	
6. Gram Panchayet	::	Manikpara
7. Tehsil / Taluka	::	Jhargram
8. District	::	Paschim Medinipur
9. Whether Scheduled Tribe or other Traditional Forest Dweller	::	Lodha
10. Area	::	08 Dcml (Honded)
11. Description of boundaries by prominent land marks including khasra / compartment no.	::	East : West : North : South :
Mouza	::	Rajabasa
J.L. No.	::	651
Plot No.	::	254, 255

This title is heritable, but not alienable or transferable under sub-section (4) of the section 4 of the Act. We, the undersigned, hereby, for and on behalf of the Government of West Bengal affix our signatures to confirm the above forest right.


Divisional Forest Officer/
Dy. Conservator of Forest


Project Officer-cum-District
Welfare Officer, B.C.W.
Paschim Medinipur


Additional District Magistrate
&
D. L. L. & R. O.
Paschim Medinipur

District Collector /
Deputy Commissioner

SL- 117

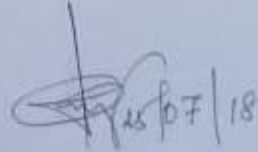
বিজ্ঞপ্তি নং : _____

প্রতি

নাম : হোসেন হুমায়ুন
 পিতার নাম : ডাঃ প্রদীপ
 গ্রাম : কিশোরগঞ্জ
 থানা : ঝাড়গ্রাম
 জেলা : ঝাড়গ্রাম

মহাশয়,

আমাদের অফিস রেকর্ড থেকে জানা যায় যে, আপনাকে বন-দপ্তর থেকে একখানি পাট্টা দেওয়া হয়েছে। রেকর্ডভুক্ত করার জন্য উক্ত পাট্টাখানির আসল কপি সঙ্গে নিয়ে সংশ্লিষ্ট গ্রাম পঞ্চায়েতে আগামী ইং ৩০/০৭/২০১৮ তারিখ সকাল ১০ ঘটিকার সময় উপস্থিত হওয়ার জন্য অনুরোধ করা হচ্ছে।

 25/07/18

সমষ্টি উন্নয়ন আধিকারিক

Block Development Officer
 Jhargram