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Potential for Recognition of Community Forest Resource Rights Under India's Forest Rights Act

A Preliminary Assessment

**Rights and Resources Initiative
Vasundhara
Natural Resources Management Consultants**

JULY 2015



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RIGHTS AND RESOURCES INITIATIVE

Washington, D.C., United States

VASUNDHARA

Bhubaneswar, India

NATURAL RESOURCES MANAGEMENT CONSULTANTS

New Delhi, India

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GLOSSARY

CFR	Community Forest Resources
CF	Community Forest
FRA	Forest Rights Act of 2006
FSI	Forest Survey of India
ha	hectares
IFR	Individual Forest Rights
JFM	Joint Forest Management
mha	millions of hectares
MoTA	Ministry of Tribal Affairs, India
STs	Scheduled Tribes
OTFDs	Other Traditional Forest Dwellers

INTRODUCTION AND SUMMARY

The implementation of Community Forest (CF) rights and Community Forest Resource (CFR) rights under the Forest Rights Act 2006 (FRA) can transform forest governance and rural livelihoods in India

The recognition of CF/CFR Rights under the FRA provides the Indian state with a historic opportunity to implement the largest land reform ever in India. Through the FRA, at least 150 million forest dwelling people have gained the opportunity to have their rights recognized over a minimum of 40 million hectares (mha) of forest land that they have been managing, using, and interacting with in more than 170,000 villages.

In 2006, the Indian Parliament enacted The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hitherto referred as Forest Rights Act (FRA)), a unique emancipatory law with the potential to transform the lives and livelihoods of hundreds of millions of forest-dependent people. In addition to the recognition of individual household-based rights, the FRA also provides for community rights over forests. The most important right under the FRA pertains to CFR rights which allow communities to protect and manage their customary forests. In combination with various community forests rights under the FRA, the CFR provision effectively democratizes forest governance in India, by providing sufficient legal powers to Gram Sabhas to govern and manage forests. This study explores the potential of CFR rights in India and finds:

- According to the government's own data (the Census and the Forest Survey of India), at least half of India's forests fall within the definition of CFR under the FRA. Hence, under the law, villages have the right to control and manage these forests, and the government must record this right and provide titles to the concerned villages. However, barely 1.2 percent of this area has actually been recorded and recognized.
- Evidence, experience, and community demands show that the real path to development in tribal and forest areas is through recognition of community forest rights, halting the forced takeover of land and forest by state agencies, and allowing people to enjoy the fruits of their own labor and land. There is now ample evidence illuminating the use of forests by local communities to enhance food, nutritional and livelihoods security. Community forest governance also has the potential to enhance adaptation to climate change.¹ Further, empirical evidence at the global level indicates that communities are far more effective at managing forests sustainably for meeting their needs relating to food, livelihoods and ecosystem services.²
- The recognition and vesting of CFR rights is required by Sec 3(1) (i) of FRA, with CFRs becoming a new category of forest area.³ (See Box 1).
- Every village with any forest dwellers residing in it should receive a title to a Community Forest Resource (Section 12(B)(3) of the Forest Rights Rules) unless reasons for not being able to do so are recorded by the authorities. Failure to recognize these rights is an offence under the law.
- The recognition of CFR rights empowers forest dwellers with the authority over decision-making and forest governance (Section 5 of FRA) with access to and use of funds available under various government programs for management of their CFRs.
- The recognition of CFR rights would shift forest governance in India towards a community conservation regime that is more food security and livelihood oriented. Not only will this forest tenure reform undo the historical injustice faced by forest dwelling communities, but also conform to the State's constitutional obligations towards its tribal citizens. The districts with the largest potential for CFR rights recognition overlap with the country's tribal population and poorest areas.

BOX 1. COMMUNITY FOREST RESOURCE (CFR) RIGHTS UNDER THE FRA

Section 2(a) of the Act defines Community Forest Resource as “customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access.”

Section 3(1)(i) recognizes the “right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use.”

Section 5 of the Act empowers the holders of forest rights, the Gram Sabha, and village level institutions to protect forests, water catchment areas, biodiversity and “ensure that the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers is preserved from any form of destructive practices affecting their cultural and natural heritage.”

The provisions for CFR rights in the FRA are reinforced by provisions within the Forest Rights rules. **Section 12 (B) (3)** reads: “The District Level Committee shall ensure that the forest rights under clause (i) of sub-section (1) of section 3 relating to protection, regeneration or conservation or management of any community forest resource, which forest dwellers might have traditionally been protecting and conserving for sustainable use, are recognized in all villages with forest dwellers and the titles are issued.”

OBJECTIVES OF THE STUDY

This study makes a preliminary assessment of the potential area over which CFR rights can be recognized in India under the FRA. The estimate provided offers a baseline for planning and effective implementation of CFR rights recognition under the FRA, and allows policy makers and forest-dependent communities to assess the extent to which the law has been implemented.

METHODOLOGY

Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) have customarily used forest area according to their livelihood, cultural, and spiritual needs. This usage is not constrained by the administrative categorization of forests. To take this factor into account, this study followed a two-step process to assess the forest areas eligible for recognition as CFRs. The first step looked at the Forest Survey of India (FSI) and census data to assess forests that are already listed as a land-use category within revenue village boundaries. The second step added customary forest areas of the North Eastern states which were not covered by FSI. The study then suggested additional work to assess forest area customarily used by forest-dwellers outside revenue village boundaries and thus eligible under the FRA.

The most important data source for estimating the potential extent of CFR area is the State of Forest Report (SFR) 1999,⁴ in which FSI attempted to identify the villages with forests as land use, with the assumption that such forests were used by inhabitants for livelihood purposes. The inclusion of forest lands within revenue village boundaries reflects and legitimizes the use, interaction, and dependence of local communities on these forests. Therefore, all forest lands within revenue village boundaries would be eligible for recognition as CFRs.

FSI had used data from the Census of India 1991. The methodology followed by FSI was re-validated through an independent analysis of 1991 census data, as well as census data from 2001 (See Annex I).

FSI identified 32.198 million ha of forest land inside revenue villages which have high forest dependency. The analysis of 1991 census data confirms that the forest area inside revenue villages is very close to FSI's calculation at 32.348 mha. The Census 2001 shows approximately 30 mha forest land inside village boundaries.

The FSI 1999 data, the Census 1991 and the Census 2001 data did not cover the states of Manipur, Arunachal Pradesh, Nagaland, Mizoram and Sikkim. To estimate the extent of forest land which would be eligible for recognition under CFR rights in the North-Eastern States, the study used estimates by other sources according to which, forests with potential CFR recognition could range from 7.72 mha⁵ to 11.4 mha.⁶ Based on these sources, the study takes a rough and conservative estimate of approximately 8 mha as the area under community ownership or control and eligible for CFR rights recognition in the aforementioned states in North-East India.

The FSI estimate also does not include forest areas outside revenue village boundaries which can be claimed as CFR based on customary boundaries. In many states like Odisha such areas constitute a substantial portion of CFR claims.⁷ The estimated potential CFR area also does not include CFR claims within un-surveyed settlements on forest land located inside forest blocks.⁸

Using the FSI data and the census data analysis the study also calculated the estimated population that lives in villages that have forest land within administrative revenue boundaries. This estimated population figure is an approximation of the number of people whose CFR rights can be recognized under the FRA. As discussed earlier, this estimate does not include villages in the NE states of Manipur, Arunachal Pradesh, Nagaland, Mizoram and Sikkim, nor does it include un-surveyed settlements inside forest blocks.

The data on CFR rights recognition progress was obtained from official reports from the Ministry of Tribal Affairs (MoTA), which provides both consolidated data and state-wise progress of FRA implementation. However, most states do not provide segregated data for the area of land recognized as Individual Forest Rights and Community Forest Resource Rights. It seems that in most states no serious effort has been made to recognize CFR rights. The estimates of the area recognized under CFR rights provided under this study draw from various sources.

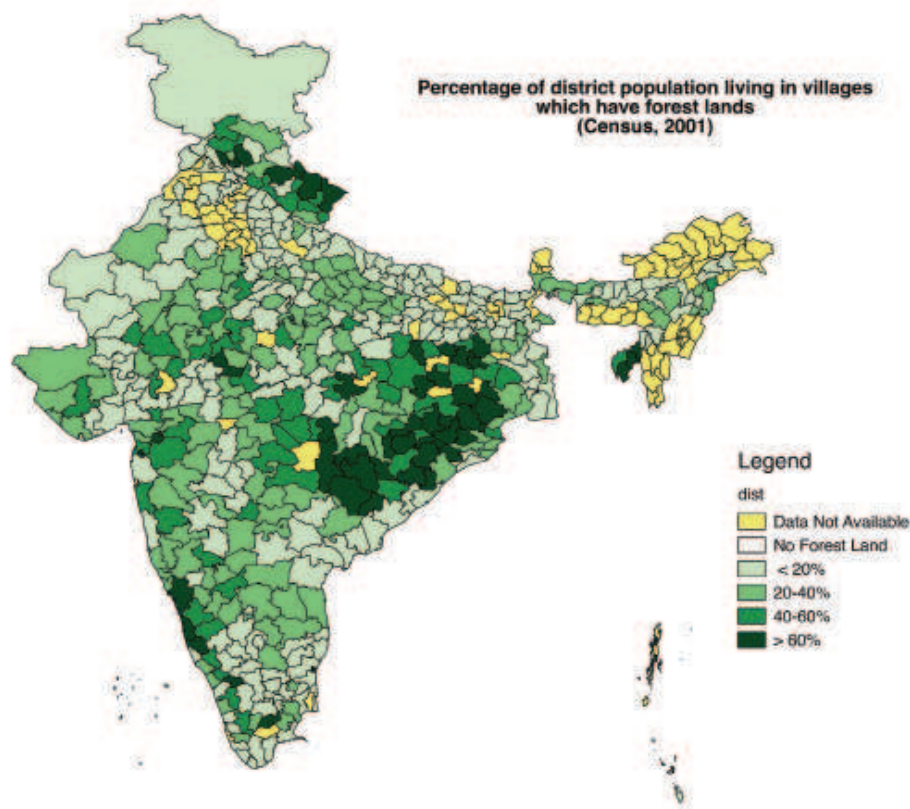
The macro-level estimation of potential for national recognition of CFR rights was supplemented by Vasundhara's work on mapping the potential of CFR rights in Odisha. The study utilized the CFR Atlas prepared by Vasundhara to validate national level analysis. It also used Vasundhara's CFR Atlas data to make estimates of potential CFR areas in three tribal districts of Odisha, which illustrate the true potential for CFR rights recognition.

KEY FINDINGS

At least 40 mha of forest lands are eligible for CFR rights recognition across the country. This estimate includes 32.198 mha of forest land identified by the FSI 1999 as located within village boundaries and at least eight mha of community forests in North-Eastern States, but not forest areas customarily used by forest-dwelling communities lying outside revenue village boundaries. To that extent, this is a conservative estimate.

At least 150 million people, including almost 90 million tribals, live in communities which would benefit from CFR rights recognition. There are 120 districts, mostly located in the tribal areas of central India, where more than 40 percent of the population live in villages that have forest land and which are eligible for CFR rights recognition (Figure 1).

Figure 1: Percentage of district population living in villages which have forest lands



At least one fourth of the villages in the country (170,000) are eligible to claim CFR rights, based on forest land within their revenue village boundaries. Nine states have more than one-third of their total villages eligible for CFR rights recognition.

Districts with a high number of villages having forest lands are located in regions that have a tribal majority, are conflict prone areas (Fig 2), and strongly overlap with regions affected by left wing extremism.

In Odisha, at least, 32,711 villages will be eligible for CFR rights recognition as they incorporate forest land within their boundaries. These villages are concentrated in the tribal, upland districts of the state. At least 23,000 sq. km. of forests are eligible for recognition as CFRs in Odisha.

Figure 2: District-wide percentage of villages with forest land located within their boundaries

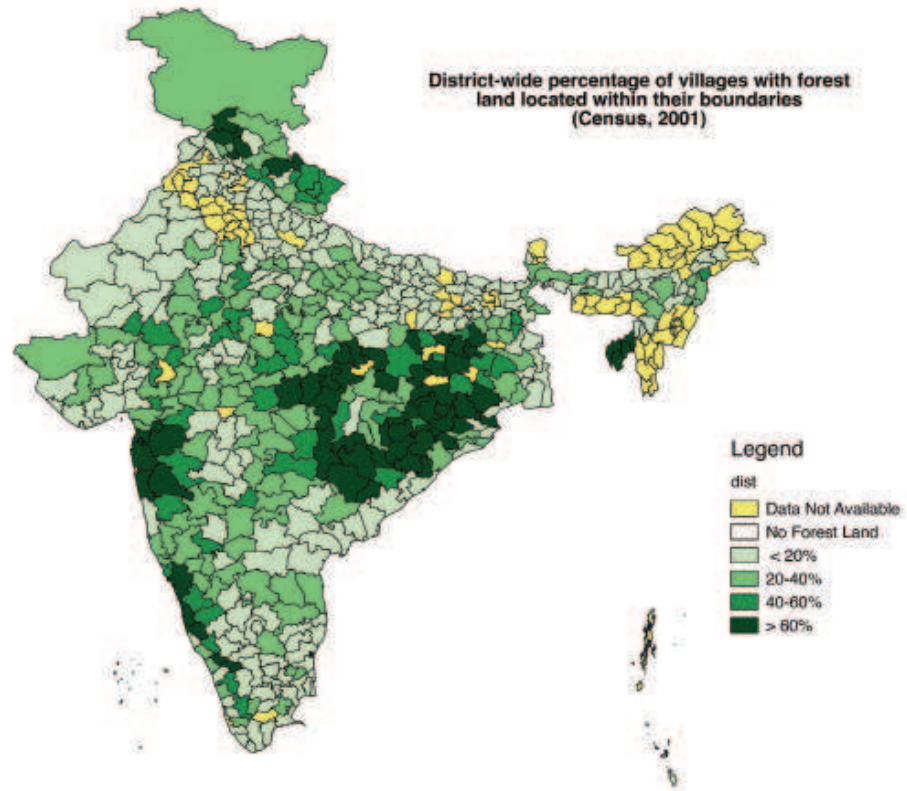
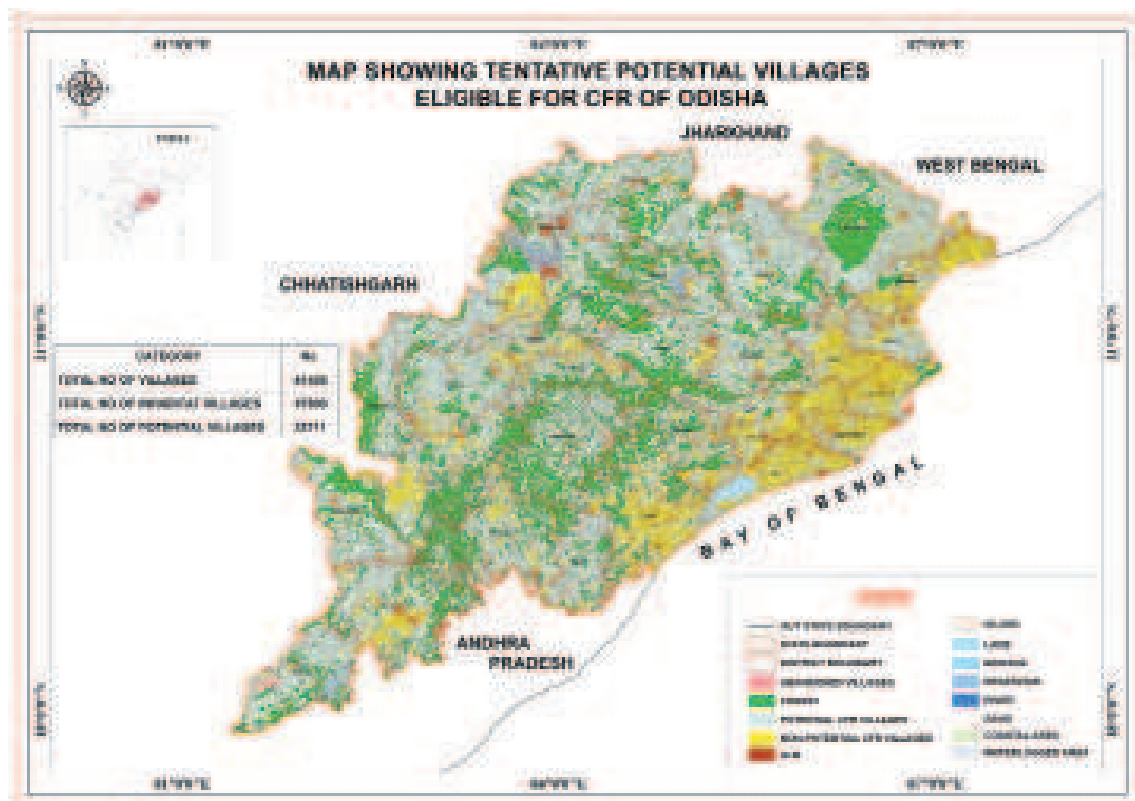


Figure 3: Map of Odisha showing potential villages eligible for CFR rights



The minimum forest land eligible for CFR rights recognition as a percentage of total forest area of the district ranges from 84 percent in Rayagada, 73 percent in Kandhamal and 38 percent in Mayurbhanj (Table 1).

Table 1: Rough Estimates of potential CFR area (in hectares) in three tribal districts of Odisha¹

	Kandhamal	Rayagada	Mayurbhanj
Total villages	2546	2667	3950
Villages with forest land only within revenue boundaries (not located on fringe of Forest Blocks) (A)	482	807	2671
Villages on fringe of large forest blocks with no forest within their revenue boundaries (B)	245	212	52
Villages on fringe of large forest blocks and also having forest land within their revenue boundaries (C)	1750	1341	333
Total Potential villages with CFR (A+B+C) ²	2477	2360	3056
Total forest area inside village boundaries eligible for CFR ³	217330 ha.	133,166 ha.	85570 ha.
Additional estimated customary area from RFs/other forest blocks outside village boundaries eligible for CFR claims	199500 ha. ⁴	101900 ha.	74,800 ha. ⁵
Total Potential CFR Area	416830 ha.	263032 ha.	165570 ha.
Total recorded forest area in the district	570983 ha.	281233 ha.	439213 ha.
Potential CFR area as % of total forest area of district	73%	84%	38%
CFR Area recognized till date	NA ⁶	NA	26,220 ha. ⁷

¹ This is a rough approximation based on assumptions about the average area of CFRs that villages can claim in large forest blocks lying outside village boundaries. The average figures will depend on the spatial configuration of villages vis-à-vis the forest blocks, the pattern of dependency and areas customarily used and claimed. We have made separate assumptions about each district.

² This is an approximate number as the dataset also contains some uninhabited villages. Additional uncertainty arises from the fact that there are a number of villages where the area of forest land within village boundaries may be very small i.e. less than 10 acres.

³ We assume that all the forest areas within the revenue village boundaries will be recognized as CFRs

⁴ We assume that in Kandhamal and Rayagada, the villages lying on the fringes of large forest blocks (Reserved Forests) will claim the average CFR area of at least 100 ha.

⁵ For Mayurbhanj, which has only 385 villages on the fringes of the forest blocks, we assume that on an average such villages would be claiming at least 200 ha. as CFRs.

⁶ CFR titles have been issued to more villages on the basis of sketch maps, because of which the precise area recognized as CFRs can't be generated. The process of GPS based mapping which can provide the precise area of the CFRs has been initiated in the district recently. CFRs of 17 villages on fringe of Reserve Forest have been mapped and the average area of CFRs outside revenue boundary is 131 ha./village.

⁷ In Mayurbhanj, CFR rights of 42 villages inside the Simlipal Tiger Reserve have been recognized over over 26,220 ha. of forest. Almost 24,000 ha. of the recognized CFRs lie outside revenue village boundaries in Reserved Forests

Figure 4: CFR Potential Map of Kandhamal District

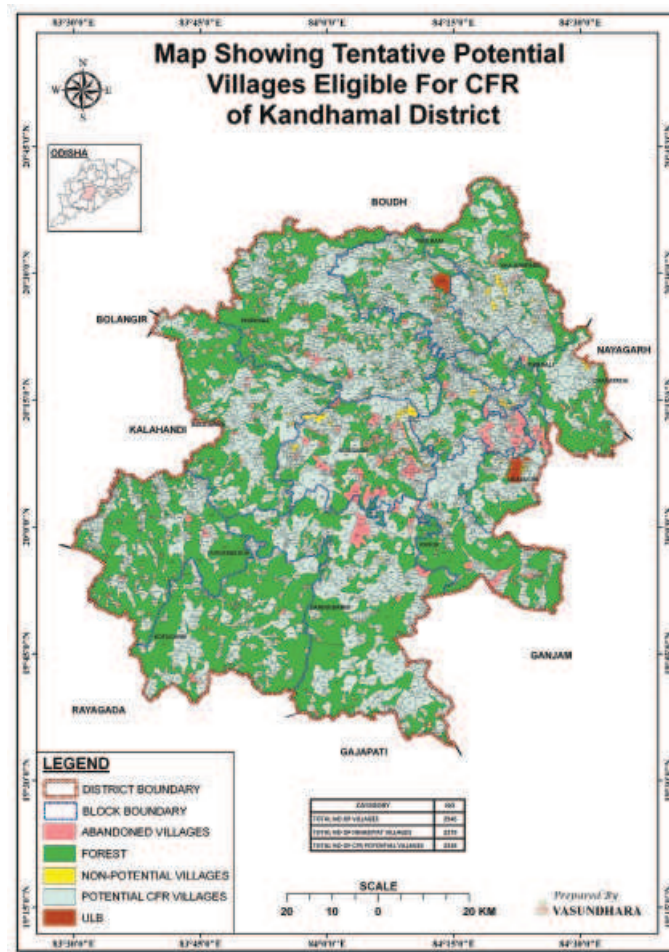


Figure 5: CFR Potential Map of Mayurbhanj District

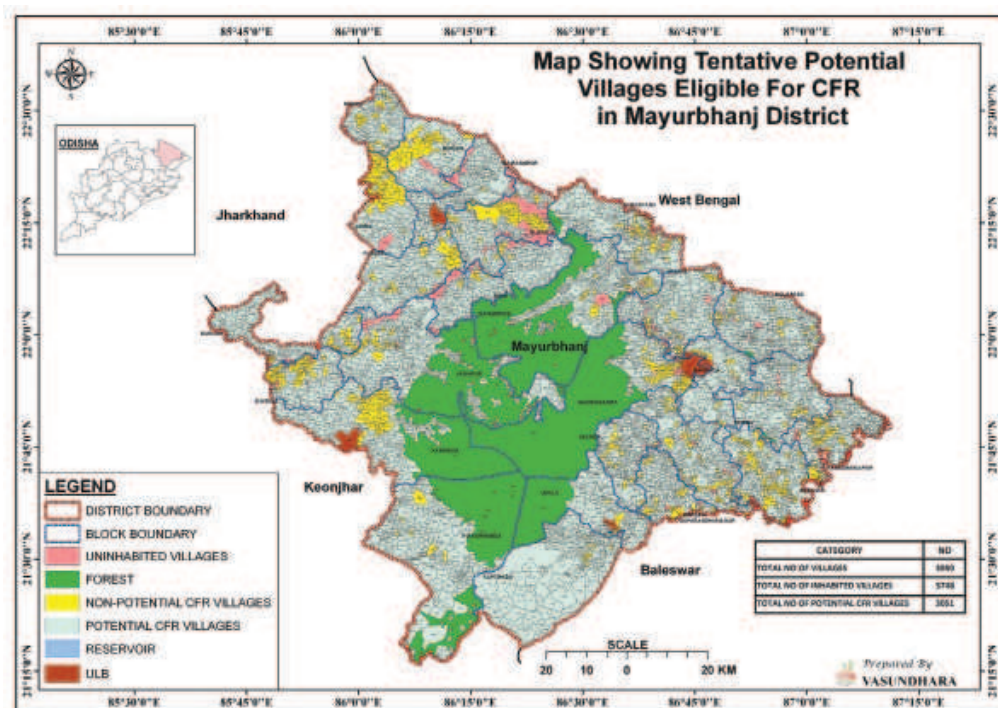
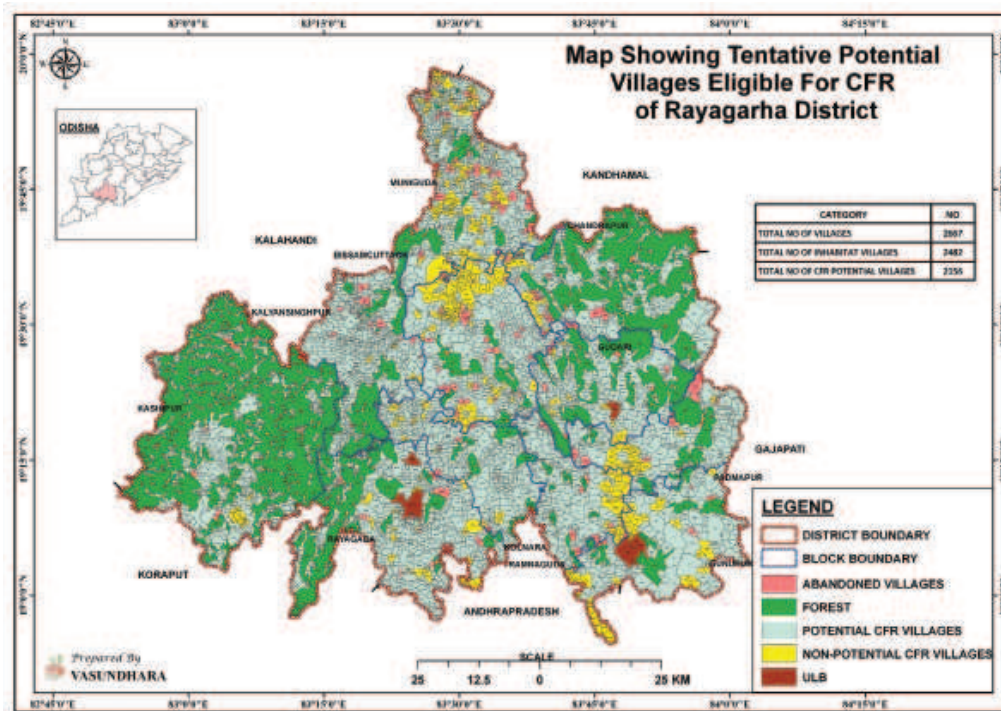


Figure 6: CFR Potential Map of Rayagada District



In tribal majority Kandhamal district, more than 90 percent of the villages will be eligible for CFR Recognition, and we estimate that at least 73 percent of the forest land in the district would come under Gram Sabha jurisdiction as CFRs. The CFR Potential Map for Kandhamal district illustrates this.

Based on field reports, the total forest area over which CFR rights have been recognized so far is under 500,000 ha (Annex IV). This implies that only around 1.2 percent of the CFR rights potential in the country has been recognized. The Official Ministry of Tribal Affairs (MoTA) data does not reflect even this accomplishment, showing only 73,000 ha as the area recognized under CFR rights in its latest report.⁹

CFR rights recognition has been limited to a few pockets of the country where civil society organizations and local district administration have taken initiatives. These include Gadchiroli¹⁰ and Nandurbar districts in Maharashtra;¹¹ Kandhamal and Mayurbhanj districts in Odisha¹² and Narmada district in Gujarat. Implementation in districts like Gadchiroli and Kandhamal provides real time substantiation of the potential of CFR rights recognition, with large areas of forests being recognized as CFRs.

Dramatic examples of major livelihood improvement arising out of CFR rights recognition are emerging. Villages in Gadchiroli district have traded in bamboo from their forests, creating large community incomes. Similarly, over 20 villages who have received titles under the FRA in Narmada District, Gujarat, have harvested and sold bamboo to paper mills, generating incomes in tens of lakhs of rupees to individual villages.¹⁵ 14 villages in Maharashtra's Gondia and Amravati districts have been managing tendu leaf harvesting and trade in their forests for the last three years, creating livelihood support to hundreds of families.¹⁶ In Andhra Pradesh, Sirsanapalli village sold Rs. 26 lakhs worth of bamboo after receiving CFR rights, decided to spend half of the income on improving the forests and want to develop their village into a model village using income from forests.¹⁷

By bringing 40 mha of forest land within the jurisdiction of Gram Sabhas, the Government of India can unleash the creative potential of forest dwellers to address ecological restoration, community conservation, livelihood generation and development in forested areas.

BOX 2. LEARNING FROM CHINA ON FOREST REFORMS AND COMPENSATING RIGHTS-HOLDERS FOR PROTECTING ECOLOGICAL FORESTS

In China, more than 400 million people have been given direct rights over more than 180 million ha of forests, changing the face of forestry in the country. China has a scheme for providing around \$40 ha/annum to the rights-holders over ecologically valuable forests for protecting them and ensuring that they remain ecologically intact. A similar transfer of CFR rights over 40 mha in India could mean that the Government of India would transfer over \$1600 million (Rs. 10000 crores) every year to tribal and forest dweller communities for protecting and managing CFRs. At the same time, where forest lands are degraded, the Government can directly support Gram Sabha in regenerating these degraded forests, transferring funding directly to the Gram Sabhas through its banking system.

The forest bureaucracy has taken control of FRA implementation in most states. The FRA was deliberately brought under the jurisdiction of MoTA to ensure that recognition of rights would not be affected by resistance from the forest bureaucracy, whose powers have been curtailed by democratic provisions in the FRA. In almost all states, even though the nodal department for FRA is the Tribal/Social Welfare department, the forest department has either appropriated or been given effective control over the FRA's rights recognition process.¹⁸ This has created a situation where the officials controlling implementation of the law often have the strongest interest in its non-implementation, especially of provisions which dilute or challenge the powers of the Forest Department. Evidence from different states clearly indicates the forest bureaucracy's efforts to stall or subvert the CFR provisions of the FRA, including through illegally vesting CFR rights on JFM committees in Andhra Pradesh¹⁹ and Chhattisgarh and promulgating Village Forest Rules in Maharashtra.²⁰

The FRA has been implemented in its true spirit only in districts where the civil administration headed by the District Collector took the initiative and used the provisions under the FRA to make the forest department comply. These include Gadchiroli, Kandhmal, and Mayurbhanj districts.

In states like Andhra Pradesh and Telangana, CFR rights and CF rights were illegally given to Joint Forest Management Committees.²¹ In spite of repeated reminders by MoTA, the situation has not been rectified. In other states such as Chhattisgarh, Odisha and Madhya Pradesh, there have been reports of JFM committees being given CFR rights. The Madhya Pradesh Government has issued an order which effectively gives the Forest Department appointed JFM committees the management responsibilities of CFRs.

There has been little effort made to generate awareness about the FRA and CFR rights amongst local communities and forest dwellers. The resulting lack of awareness has meant that there is little demand and pressure from below on state governments and the district administration for the recognition of CFR rights as guaranteed by law.

State-level political leadership has little understanding or appreciation of the positive political and social implications of the community rights provisions of the FRA. This has left the control of FRA often with the forest bureaucracy, which is desperate to retain the status quo in forest governance. The state governments have made little effort to strengthen the nodal tribal welfare departments and create local administrative capacity for FRA implementation.

Apart from a few organizations and movements, civil society at large has not coordinated and mobilised to push for FRA implementation and CFR rights recognition. This has meant little pressure on the central government and state government to recognize CFR rights.

THE WAY FORWARD

The CFR provision of the FRA has the potential to finally decolonize India's forests, remedy longstanding injustices, and foster democratic control over customary forests by forest-dependent communities. This possibility has been partially actualized in only one district in India, namely Gadchiroli in Maharashtra. In other districts such as Kandhamal and Mayurbhanj in Odisha, Nandurbar in Maharashtra, Narmada and Dangs in Gujarat, and Thrissur in Kerala, significant initiatives have been taken to recognize CFR rights. In the rest of the country, state governments have made little effort to create awareness and recognize CFR rights. The failure to recognize CFR rights is a perpetuation of historical injustice on India's forest-dwelling communities and a missed opportunity to democratize forest governance, create rural employment and ensure sustainable development of marginalized forest communities.

To realize this potential:

1. The Government of India, in particular MoTA, needs to take strong and definitive action for CFR rights recognition:
 - a. Immediately create a CFR Task Force/ Cell in the MoTA to support state and district administrations in full and proper implementation of the FRA, including supporting local communities' CFR claims. This cell would work closely with district administrations and state governments to ensure that they can draw funds under the Article 275(1) of the Constitution and other sources;
 - b. The CFR Task Force/Cell should continuously monitor the progress of CFR rights recognition and make its reports public. It should also periodically provide an analysis of comparative progress of various states to the Prime Minister's Office (PMO) in view of the Prime Minister's promise for effective implementation of the FRA. These reports would enable the PMO to encourage laggard states to implement the FRA in full and may also assist in removing any existing bottlenecks.
2. This study is based on an initial list of 170,000 villages with forest lands within their village boundaries and their respective CFR claims. The list of villages, their area, and population is available for sharing with state and district administrations enabling them to:
 - a. Initiate mass awareness campaigns to ensure that the identified Gram Sabhas are aware of the FRA, specially its CFR provisions; and to create capacities at the district level to undertake CFR rights recognition;
 - b. Begin the process of mapping these claims and facilitating Gram Sabhas to claim CFR rights of these areas; and
 - c. Monitor progress using this data as the baseline.
3. In addition, CSOs have in a number of instances very carefully mapped forest areas customarily used by forest-dwelling communities outside their revenue village boundaries. These CSOs could work with states to train district functionaries to do similar mapping in districts identifying customary forests eligible for CFR claims.
4. A number of state governments have been ignoring the constitutional and legal instructions issued by MoTA. An example is the Village Forest Rules in Maharashtra, which have been deemed illegal by MoTA. However, in spite of MoTA strictures, the Forest Department of Maharashtra has not withdrawn these rules. Similarly, in Andhra Pradesh, the Forest Department has not withdrawn CFR titles illegally issued to JFM Committees in spite of MoTA's clear instructions. The proposed CFR cell in MoTA could:

- a. Use its periodic monitoring reports to the PMO to highlight such violations;
- b. The PMO and the Chief Ministers of respective states can support MoTA on these issues and issue strict instructions to defaulting departments or Ministries; and
- c. The PMO and Chief Ministers should ensure that all orders and procedures which violate FRA provisions are withdrawn immediately.

Adapting new ways of supporting Gram Sabhas directly in the regeneration and protection of CFRs can ensure that India's forest dwellers finally have clear property rights over their land and forests. The recognition of community rights over forests will empower communities as counterparties who alone can provide their consent and effectively a "social license to operate" when these lands are sought to be diverted for development projects. Through CFR rights, India can transform hundreds of millions of its poorest, most marginalized citizens into empowered protectors of forests and active participants in the country's ongoing economic growth.

ENDNOTES

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- ⁶ Barik, S.K. 2002. *Forest Resources and Their Management in North East India*. In B.Datta Ray and K Alam (eds). *Forest Resources in North East India*. New Delhi: Omsins Publications. Pp. 39-51. (Barik points out that ownership of 11.4 mha forests in North-East India is not available, and given the legal regimes of community forest rights in the North-Eastern India, it can be assumed that these forest lands can be claimed as CFRs).
- ⁷ For example, out of 26220 ha recognized as CFRs for 42 villages in Mayurbhanj, Odisha, almost 24271 ha (91 percent) are outside village boundaries in Reserve Forests. Personal Communication. 2015. Vasundhara.
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ANNEX I

State data on forest land within village boundaries (FSI 1999; Census 1991; and Census 2001)

Table: Total area of Forest land within Village Boundary (In Ha)

State	FSI, 1999	Census, 1991	Census 2001
Andaman & Nicobar Islands	35,485	35,485	31,010
Andhra Pradesh	25,66,842	25,66,842	25,96,732
Arunanchal Pradesh			
Assam	2,19,322	2,19,322	2,53,683
Bihar	25,02,137	25,02,137	4,38,598 ¹
Chandigarh	185	185	180
Chhattisgarh			10,03,195 ²
Dadra & Nagar Haveli	20,702	20,702	21,132
Daman & Diu	507	507	525
Delhi	283	283	4,733
Goa	88,358	88,358	84,031
Gujarat	13,54,765	13,54,715	12,55,856
Haryana	7,967	7,967	10,546
Himachal Pradesh	9,91,644	8,40,255	13,90,704
J&K	NA		6,59,532
Jharkhand			19,94,387 ³
Karnataka	27,38,414	27,51,114	26,59,318
Kerala	9,03,599	9,03,599	9,11,299
Madhya Pradesh	67,15,840	67,15,840	32,30,528 ⁴
Maharashtra	31,65,387	31,65,384	36,13,880
Manipur			
Meghalaya			
Mizoram			
Nagaland	4,90,554	6,81,354	63,136
Odisha	17,79,953	17,79,953	23,02,706
Pondicherry			-
Punjab	30,031	30,031	69,815
Rajasthan	21,09,981	21,09,981	25,79,446
Sikkim			66,428
Tamilnadu	19,19,961	19,00,141	15,82,693
Tripura	5,67,041	5,67,041	5,40,912
Uttarakhand			6,91,488 ⁵
Uttar Pradesh	33,74,665	33,74,665	15,35,232
West Bengal	6,14,682	7,32,582	6,30,135

¹ Most of the forest area from Bihar was transferred to Jharkhand.

² Chhattisgarh was carved out of Madhya Pradesh.

³ Jharkhand carved out of Bihar.

⁴ Large forest areas transferred to Chhattisgarh. Also there seems to be confusion over the so-called "Orange areas".

⁵ Uttarakhand carved out of Uttar Pradesh.

ANNEX II

No of Villages with Forestland within Village Boundary (In Ha)

	States and UT	FSI, 1999	Census, 1991	Census, 2001
1	Andaman & Nicobar	153	153	144
2	Andhra Pradesh	5,080	5,161	5,616
3	Arunanchal Pradesh	1321	NA	2,367
4	Assam	2,140	2,186	3,693
5	Bihar	17,044	18,680	
6	Chandigarh	9	9	6
7	Chhattisgarh			9,727 ⁶
8	Dadra & Nagar Haveli	59	59	61
9	Daman & Diu	6	6	5
10	Delhi	5	5	16
11	Goa	138	144	137
12	Gujarat	4,732	4,846	4,815
13	Haryana	90	90	92
14	Himachal Pradesh	5,994	7,467	9,079
15	J&K	NA	NA	1,872
16	Jharkhand			16,452 ⁷
17	Karnataka	7,130	7,130	7,450
18	Kerala	317	317	320
19	Madhya Pradesh	29,294	30,757	18,953 ⁸
20	Maharashtra	15,694	15,700	16,610
21	Manipur	1850	NA	NA
22	Meghalya	3927	NA	NA
23	Mizoram	683	NA	NA
24	Nagaland	669	669	669
25	Odisha	29,302	30,973	28,777
26	Punjab	133	133	399
27	Rajasthan	7,114	7,540	9,441
28	Sikkim	305	NA	NA
29	Tamil Nadu	1,405	1,938	1,808
30	Tripura	644	644	652
31	Uttar Pradesh	23,900	24,977	16,649 ⁹
32	Uttarakhand			6,536 ¹⁰
33	West Bengal	8,571	9,186	10,124
	India	1,59,623	1,68,770	1,71,801

⁶ Chhattisgarh carved out of Madhya Pradesh.

⁷ Jharkhand carved out of Bihar.

⁸ Reduction in number of villages as Chhattisgarh was carved out of Madhya Pradesh.

⁹ Reduction in number of villages as Uttarakhand carved out of Uttar Pradesh.

¹⁰ Uttarakhand carved out of Uttar Pradesh.

ANNEX III

Total Population of Villages with Forestland within Village Boundary (in ha)

State	FSI, 1999	Census 2001
Andaman & Nicobar Islands	1,18,961	1,22,063
Andhra Pradesh	1,06,74,334	1,20,00,087
Arunachal Pradesh		
Assam	14,90,401	14,31,795
Bihar	1,12,05,120	48,18,461
Chandigarh	20,418	31,840
Chhattisgarh		75,58,420
Dadra & Nagar Haveli	95,479	1,44,241
Daman & Diu	27,148	38,773
Delhi	13,605	1,15,351
Goa	2,32,613	2,26,994
Gujarat	31,78,244	88,25,720
Haryana	1,27,678	1,64,455
Himachal Pradesh	15,26,347	25,71,184
J&K		25,57,706
Jharkhand		1,13,48,401
Karnataka	93,09,720	1,05,96,134
Kerala	44,82,951	50,87,767
Madhya Pradesh	1,99,53,453	1,38,82,368
Maharashtra	1,90,43,898	2,19,66,199
Manipur		
Meghalaya		
Mizoram		
Nagaland		
Odisha	1,59,34,768	1,81,36,851
Pondicherry		-
Punjab	1,44,057	4,20,303
Rajasthan	67,80,697	1,08,34,052
Sikkim		
Tamilnadu	31,13,298	35,32,858
Tripura	15,94,837	18,89,458
Uttar Pradesh	2,39,54,868	2,55,08,275
Uttarakhand		23,91,147
West Bengal	83,99,279	1,22,69,569
India	14,14,22,174	17,84,70,472

¹ Most of the forest area from Bihar was transferred to Jharkhand.

² Chhattisgarh was carved out of Madhya Pradesh.

³ Jharkhand carved out of Bihar.

⁴ Large forest areas transferred to Chhattisgarh. Also there seems to be confusion over the so-called "Orange areas".

⁵ Uttarakhand carved out of Uttar Pradesh.

ANNEX IV

CFR Recognition Status

States ¹¹	CFR potential in ha (low estimate)	Forest Rights Recognition (IFR + CFR) in ha	CFR Rights Recognition (ha)	CFR recognized as % of total CFR potential	Comments
Andhra Pradesh	2596732	589693	NA		2107 community rights recognized. Not clear if CFR and no area provided (MOTA, 2015)
Assam	253683	31421	NA		860 Community Rights recognized. Not clear if CFR and no area provided (MOTA, 2015)
Chhattisgarh	1003195	283814	NA		No separate data for CFRs (MOTA, 2015)
Gujarat	1255856	445360	64000	5.1%	3858 Community rights issued over 999407 acres. No separation of CFR rights data (MOTA). 64,000 ha. CFR in Narmada district confirmed recognized (Arch Vahini, 2015)
Jharkhand	1994387	15255	NA		No CFR recognition has taken place
Karnataka	2659318	14792	10497	0.4%	96 Community Rights over 10497 ha.
Kerala	911299	13368	NA		Some CFR recognized. Data on CFRs is not available
Madhya Pradesh	3230528	711344	NA		18601 CF rights recognized. No information if any CFRs have been recognized
Maharashtra	3613880	585264	224799	6.2%	Data for CFR from MOTA, 2014
Odisha	2302706	292881	43756	1.9%	Kandhmal CFRs not reflected in data
Rajasthan	2579446	21062	480	0.02%	
Tripura	540912	168646	56	0.01%	
Uttarakhand	691488	56710	NA		
West Bengal	630135	7148	NA		
India	32198305	3236757	343588	1.1%	

¹¹ Only States where FRA implementation has been taken up in a substantial manner have been included.



1238 Wisconsin Avenue NW
Suite 300
Washington, DC 20007
www.rightsandresources.org