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Forest Rights Act: Triggering the apocalypse of forest loss and fragmentation

As more forests become honeycombed with settlements, the resulting habitat fragmentation will lead to a massive ecological crisis



Representative picture PTI

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Traditional Forest Dwellers

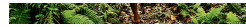
(Recognition of Forest Rights) Act, 2006 (FRA), enacted in 2006, continues to be the subject of fierce debate. Despite clear evidence to the contrary, proponents of the Act aver that granting rights over millions of hectares of forest land for habitation, cultivation and commercial exploitation, including within Wildlife Reserves, will have no negative consequences because all forest dwellers purportedly live in ecological harmony with nature.

Empirical and scientific evidence, however, has demonstrated that such extensive grants of forest land, from which produce is supplied to bottomless markets, is ecologically un-sustainable at the human population densities prevailing within India's forests. As more forests become honeycombed with settlements, the resulting habitat fragmentation will lead to a massive ecological crisis. In fact, a scientific analysis by the National Remote Sensing Centre (NRSC) has documented that such factors have been mainly responsible for forest fragmentation during the last few decades.

Measurable impact of FRA since 2008

Official data of the Ministry of Tribal Affairs as on November 30, 2024 reveals that over 77 lakh hectares of forest land, almost the area of Assam, have been

granted under the FRA since 2008. Of



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granted under the FRA since 2000. Of these, individual rights account for 20.54 lakh hectares while the rest comes under community ownership. As populations increase in these scattered enclaves, succeeding generations of forest dwellers will inevitably expand their holdings and we will reach a point when no potential solution to this crisis will remain.

There is a notion that the greatest danger to forests and wildlife comes from the diversion of forest land for development projects. While there is no dispute that ill-planned development projects cause serious harm to forests, data shows that while 6.33 lakh hectares have been diverted for development during the last 36 years (1980 to 2016), 20.54 lakh hectares of forest land have been granted for habitation and cultivation under FRA during just the last 16 years. This is in addition to the 43 lakh hectares of forests lost, majorly for agriculture and encroachment, between 1950 and 1980 under the Grow More Food campaign, Singhdeo Scheme, Bhoomi Swami rights, Eksali grants, and Dali land pattas under Tribal-Forest Interface and State Land Grant Rules. Thus, the argument that it is development alone that is causing forest loss and fragmentation is patently untrue.

In 2019, the Forest Survey of India (FSI) submitted to the Supreme Court that a sample satellite imagery analysis of over 14,000 rejected claims under the FRA revealed that around 65% of them were in areas that had forest cover prior to 2005, the prescribed cut-off date, but were occupied subsequently and now have habitation and/or cultivation. The FSI also found that the average area of each rejected individual claim was around one hectare. Extrapolating this data to the 18.02 lakh rejected claims as on November 2024, it can be estimated that 11.71 lakh hectares of forests were cleared and occupied by expanding existing settlements and by ineligible people filing bogus claims to grab forest land.

To many, the only silver lining appears to be the provision under the FRA to notify National Parks and Sanctuaries as Critical Wildlife Habitats (CWH), which shall remain inviolate. In areas that are identified as CWH, the FRA provides for the resettlement of people, who have been granted rights, with an appropriate

compensation package of land and other

compensation package of land and other facilities outside. The stark reality

has yet been finally notified as Critical Wildlife Habitat, even after 16 years.

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Despite incontrovertible evidence that the FRA has caused massive forest loss and fragmentation, academics, including some ecologists who otherwise bemoan the dreadful ecological consequences of fragmentation, remain irresponsibly obdurate. Some continue to push for the ‘democratization of forests’ by handing them over to Gram Sabhas. While there is little doubt that forest governance is in dire need of reforms, entrusting our national ecological assets to untested and legally non-accountable Gram Sabhas in the fond hope that they will nurture and defend them from land grabbers and the mafias, is a utopian gamble that we can ill afford.

Even as academics continue to fantasize

that forest dwellers will live

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that forest dwellers will live harmoniously with nature and the provisions in the FRA cast a duty upon them to protect forests, the dynamics of rural politics and market demands will trigger the further destruction and collapse of fragile ecosystems, leading to more human-wildlife conflict, illegal hunting, commercial exploitation of forests, and proliferation of invasive species.

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Is there a way forward?

The above arguments do not negate the urgent need for addressing the aspirations of forest dwellers for a better life. What they require is not a marginal improvement of their status quo but a set of proactive solutions that will provide real emancipation – such as fair resettlement outside Wildlife Reserves, with better access to healthcare, education, micro finance, vocational training and new livelihood options that can get them out of their dependence on dwindling forests. Many forest dwellers who realise this, are voluntarily demanding resettlement.

There is no dearth of financial resources

There is no dearth of financial resources to make this happen. The budgetary allotment in 2023-24 for delivering social justice to India's 10 crore tribal population under the Development Action Plan for Scheduled Tribes (DAPST) was a humongous sum of 1.17 lakh crore.

Therefore, we must not further weaken the brittle ecological foundations of our common future, which the implementation of the FRA is presently causing. The haemorrhaging grant of forest land to ineligible claimants must stop forthwith and the notification of Critical Wildlife Habitats must be completed as per law in a time bound manner.

□(*Views are personal*)

The author is the founding trustee of Wildlife First, former member of the National Board for Wildlife and author, Wildlife Law for Conservation, Wildlife Law for Rangers

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