

Forest Rights Act, 2006

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Forest Rights Act, 2006: Supreme Court Review and Tribal Concerns

Context

- The **Supreme Court is set to hear** a case on the **Forest Rights Act (FRA), 2006**, on **April 2, 2025**.
- **Adivasi rights groups and environmental organizations** have urged the **Tribal Affairs Ministry** to defend the law.
- The case has **significant implications for tribal communities**, who depend on forests for their **livelihood, culture, and identity**.

Forest Rights Act (FRA), 2006: An Overview

- Officially called the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**.
- Enacted to **legally recognize the rights of tribal and forest-dwelling communities** over their traditional lands and forest resources.
- Seeks to **correct historical injustices** where forest dwellers were **denied land rights** under colonial and post-independence laws.

Key Provisions of the FRA

1. Recognition of Forest Rights

- **Individual Forest Rights (IFR)** - Provides **land titles** to individuals for **cultivation and**

habitation.

- **Community Forest Rights (CFR)** - Grants communities the right to **use, manage, and conserve** forest resources.

2. Role of Gram Sabha

- **Gram Sabha (village council)** is the **primary authority** to initiate, verify, and approve claims.
- Ensures a **democratic and decentralized** decision-making process.

3. Conservation and Livelihood Balance

- Empowers tribal communities to participate in **forest conservation** while securing their **livelihood rights**.
- Recognizes the role of **traditional knowledge** in sustainable forest management.

Legal Challenges to FRA

1. Supreme Court Case (2008-Present)

- In **2008**, the NGO **Wildlife First** challenged the FRA in the **Supreme Court**, arguing it led to **forest encroachments**.
- In **2019**, the **SC ordered the eviction** of those whose claims were rejected.
- Following protests, the **Tribal Affairs Ministry intervened**, highlighting **procedural flaws** in rejections.
- The SC **stayed the eviction order** and directed states to **review rejected claims**.

Current Concerns in FRA Implementation

1. Improper Review of Rejected Claims

- Many states conducted **arbitrary reviews**, leading to **mass rejections** of claims.

2. Undermining of Gram Sabhas

- Gram Sabhas, which are meant to **approve land claims**, were **ignored** in many cases.
- Example: In **Gujarat**, **98% of claims** were **approved by Gram Sabhas**, but only **62% were accepted** by **higher authorities** like the **Sub-Divisional Level Committee (SDLC)**.

3. Over-Reliance on Satellite Imagery

- States like **Gujarat and Madhya Pradesh** used **satellite images** instead of **ground verification** to assess claims.
- Led to **wrongful rejections**, as satellite data **fails to capture historical land use patterns**.
- The **Tribal Affairs Ministry** warned against **misuse of technology**, emphasizing that FRA allows **various forms of evidence**, including **community records and historical proof**.

Conclusion

- The **FRA is crucial for protecting tribal rights** and ensuring **forest dwellers' access to resources**.
- However, **implementation challenges** remain, including **arbitrary rejections, sidelining of Gram Sabhas, and improper use of technology**.
- The **upcoming Supreme Court hearing** will be a **crucial test** for the government's commitment to **tribal welfare and democratic governance**.