

From Honey Gatherers to Rights Claimants

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Jenu Kuruba Tribe and the Forest Rights Act, 2006

Introduction

The **Jenu Kuruba** tribe is an indigenous forest-dwelling community primarily residing in the forests of Karnataka, India. The word "*Jenu*" means *honey* in Kannada, highlighting their traditional livelihood of **collecting honey and other forest produce**. Like many other tribal groups in India, the Jenu Kuruba have long depended on forests for their survival—economically, culturally, and spiritually.

In recent years, they have invoked the **Forest Rights Act (FRA), 2006** to **assert their legal rights** over forest land and resources that they have traditionally protected and used.

About the Forest Rights Act, 2006

Official Name:

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Nodal Ministry:

Ministry of Tribal Affairs, Government of India

Enactment Purpose:

Historically, forest-dwelling communities were **excluded** from legal ownership or decision-making rights over forests, despite living there for generations. The FRA was enacted to **correct this historical injustice** by **recognizing and granting legal rights** to these communities.

Objectives of the FRA

- To recognize and **vest forest rights and occupation** in forest land in favor of:

- **Scheduled Tribes (STs)** who primarily reside in forests
 - **Other Traditional Forest Dwellers (OTFDs)** who have lived in forests for at least **three generations (75 years)** before **13 December 2005**
 - To **empower forest communities** to conserve forests and biodiversity
 - To promote **sustainable use** of forest resources for livelihood and cultural purposes
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Types of Rights Under FRA

1. Individual Rights:

- Right to **live in and cultivate** forest land that individuals or families have been occupying
- Right to **reside** in forest areas

2. Community Rights:

- Right to **collect, use, and sell** minor forest produce (e.g., honey, bamboo, fruits, medicinal herbs)
- Rights over **community forest resources (CFRs)** such as grazing areas, water bodies, and sacred groves

3. Habitat Rights:

- Particularly for **Particularly Vulnerable Tribal Groups (PVTGs)** to conserve their customary habitat
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Eligibility Criteria

- **Scheduled Tribes (STs):** Must be residing in the forest and dependent on it for livelihood

- **Other Traditional Forest Dwellers (OTFDs):** Must have lived in and depended on forest land for **at least 75 years**, prior to **13 December 2005**
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Role and Powers of the Gram Sabha

The **Gram Sabha** (village assembly) plays a central role in the implementation of FRA. It is the **first and most important authority** in the process.

Key Functions:

- **Initiates the process** of claiming forest rights by inviting and collecting claims
 - **Verifies and approves** claims based on oral evidence, traditional knowledge, and records
 - **Passes resolutions** to be submitted to higher authorities (e.g., Sub-Divisional Committee)
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Appeals and Redressal Mechanism

- If a claim is **rejected** or **disputed**, the individual or group can appeal to:
 1. **Sub-Divisional Level Committee**
 2. **District Level Committee** (if required)
 - These committees are responsible for **reviewing decisions** and ensuring justice is delivered fairly
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Duties and Responsibilities of Right Holders

While rights are granted, **responsibilities** are also expected from forest dwellers:

- Protect and **conserve wildlife, forests, and biodiversity**
- **Safeguard water sources**, forest streams, and catchment areas

- Ensure **sustainable use** of forest resources to avoid degradation
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Implementation Challenges

Despite being a powerful law, FRA faces several **implementation hurdles**:

1. Unclear Identification:

- Difficulty in correctly identifying eligible STs and OTFDs due to lack of documentation

2. Low Awareness:

- Many forest communities are unaware of their rights under the FRA

3. Bureaucratic Delays:

- Slow processing of claims due to administrative inefficiency or resistance

4. Legal Hurdles:

- Competing laws (e.g., Forest Conservation Act, Wildlife Protection Act) sometimes override FRA provisions

5. Uneven Implementation Across States:

- Some states have actively implemented FRA, while others have shown minimal progress

Jenu Kuruba's Assertion of Forest Rights

- The **Jenu Kuruba tribe**, like many others, has been **displaced** from traditional forest habitats due to conservation projects (e.g., creation of national parks and wildlife sanctuaries).
- By filing claims under the FRA, they are:

- **Seeking legal recognition** of their right to reside and collect forest produce
 - Asserting their role as **traditional guardians of forests**
 - Demanding inclusion in **forest conservation efforts** as equal stakeholders
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Conclusion

The **Forest Rights Act, 2006** is a landmark legislation aimed at ensuring justice to tribal and forest-dependent communities. By **recognizing historical ties** with forests and providing legal backing to their rights, it helps **empower local communities** and promotes **ecological conservation** through inclusive governance.

The **Jenu Kuruba tribe's efforts** to reclaim their rights represent a broader movement among indigenous communities in India to gain rightful access to land, livelihood, and dignity



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