

Forest Rights Act

Land Distribution and Livelihoods of Forest Dependent People

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This paper, based on an empirical study in Chhattisgarh and Gujarat, attempts to examine the land and livelihood facets of forest dependent people following the claims made by them under the Forest Rights Act. It also touches upon factors influencing livelihoods such as source of irrigation, crop yield, forest produce collection, and livestock holdings to examine the respondents' socio-economic conditions. The findings revealed that the land received by the beneficiaries was very meagre in proportion to what they claimed. Besides, the study once again reiterates that forest cover was not disturbed as feared by those opposing this Act simply because no new land in the forest was given to the claimants. The land in fact was just recognised legally with the help of documents as proof that they have been occupants for long or at least from 2005 onwards. However, for those who got legal recognition over their land, it has boosted their confidence. They now feel the real ownership of their plots which led to investing in their lands without any fear about secure livelihoods.

The Chhattisgarh and Gujarat governments have been sympathetic towards tribals from even before the Forest Rights Act (FRA), 2006 came into force though this attitude did not really result in solutions to their problems. During the early decades following Independence, there were efforts to recognise forest dwellers as owners of minor forest products (MFPs) in Madhya Pradesh (MP). There were also efforts in 1977 to distribute 2.5 hectares (ha) of patta (landholding document) land among the tribals, and the forest produce laws of 1964 and 1969 allowed them to procure forest produce without restrictions (ELDF 2005); however, with the passage of the Forest Conservation Act (FCA) of 1980, forest jurisdiction passed into the hands of the union government (Samarthan 2010) as did the fate of the tribals. Similarly, in Gujarat, land was distributed among the tribals in 1972 resulting in transfer of 21,082 ha of land to 34,441 tribals (Kumar 2009); here too as in MP the FCA of 1980 was used as an excuse by the state government to discontinue this initiation.

In hindsight, both states seemed to be dealing with tribal rights half-heartedly because MP's definition of *nistar*¹ said that such rights would cease to be extended to the tribals once they reached the "standard of living" that equalled that of other non-tribal citizens in the state. Similarly, in Gujarat, many conditions were imposed on regularising the land (TFRA 2012), despite the atrocities committed against tribals and illegal arrests made on grounds of encroachment (writ petition, 2011). Nevertheless, the enactment of the FRA was seen as extremely beneficial to the tribals since it provided forest rights to those who have been residing primarily in the forest or forestlands, or to those who are dependent on forests or forestlands for their livelihood (bona fide livelihood needs). In short, the law recognises three types of rights: (1) landownership rights; (2) right to use and collect MFP; and (3) right to protect and conserve. The FRA has been in implementation since 2008, and it is now time to assess its impact.

Besides forging justice and self-respect, the FRA is necessarily a determinant factor in terms of ensuring the livelihoods of the forest dependent people (FDP). To explain how far the FRA has been able to make a positive impact on the lives of the FDP, this paper presents the findings based on a field survey with respect to certain economic issues in relation to the FRA. The analysis presents the comparative scenario before and after the implementation of the FRA. In the paper, pre refers to the respondent-householder's status during a year before the FRA was implemented, i e, in 2008, or when they actually learnt

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about the approval of their claim (or received the documents to that effect) whereas post means the year when the interview with the respondents was conducted during this research. The aspects discussed in this paper include the status of their lands, the so-called encroached landownership, sources of irrigation, crop yields, dependency on forest, and livestock possession.

Context and Method

The study was carried out in Chhattisgarh and Gujarat. The rationale behind the choice of these two states was to understand how the states – Gujarat claims to have ensured marked development and Chhattisgarh is on the verge of catching up even while battling insurgency in the very areas where this Act matters the most – are faring in the implementation of this all-important Act. The field study was carried out in 18 gram panchayat (GP) (nine in each state) villages in as many talukas of the two states where at least 30 claims over the lands in the forest were made.

Qualitative and quantitative methods were employed to elicit the information. For this, a sample of 540 respondents was interviewed through household (HH) survey. This sample of respondents included people belonging to all socio-economic backgrounds in the village, while 18 focus group discussions (FGDs) were moderated in each of the study GPs. Care was taken to ensure that every stakeholder in the GP including the forest rights committee² (FRC) members were part of the discussions. The analysis is a result of the information gathered from the HH respondents and supplemented by the information drawn from the FGDs. The fieldwork was carried out between October 2012 and March 2013.

Analyses of the Findings

The enactment of this Act itself is a testimony to how important land is for the livelihoods of the FDP. Hence, it is imperative to look into the changes, if any, which have occurred before and after the implementation of the FRA. This exercise is expected to throw light on how far the people have benefited from this law.

Table 1: Landownership (in acres) of the Study HHs before and after FRA Implementation

State / Land Issue		Land with Patta			Encroached Land			Patta and Encroached Land Together - G Total		
		Pre	Post	% C	Pre	Post	% C	Pre	Post	% C
Chhattisgarh	HH	188 (46)	201 (48.7)	6.9 –	162 (37.7)	97 (33.1)	-40.1 –	350 (41.7)	298 (42.2)	-14.9 –
	TA	493.5	543.0	10.0	392.5	277.4	-29.3	886	820.3	-7.4
	AL	2.6	2.7	3.8**	2.4	2.9	19.2***	2.53	2.75	8.7*
Gujarat	HH	221 (54)	212 (51.3)	-4.1 –	268 (62.3)	196 (66.9)	-26.9 –	489 (58.3)	408 (57.8)	-16.6 –
	TA	323.5	450	39.1	836.5	562.3	-32.8	1,160	1,012.2	-12.7
	AL	1.46	2.12	45.2***	3.12	2.9	-8.3***	2.37	2.48	4.6***
Total	HH	409 (100)	413 (100)	1 –	430 (100)	293 (100)	-31.9 –	839 (100)	706 (100)	-15.6 –
	TA	817	993	21.5	1,229	839.7	-31.7	2,046	1,832.5	-10.4
	AL	2.0	2.4	20.0***	2.8	2.9	3.6***	2.4	2.6	8.3***

Key: HH = Household; TA = Total Acres; AL = Average Land per HH; G = Grand; Pre = Pre-FRA; Post = Post-FRA; % C = Percentage Change.

Formula Used to Calculate % Change: $(\text{post} - \text{pre}) / \text{pre} \times 100$.

T Test: *, **, *** = Values are significant at 1%, 5% and 10%, respectively.

Figures in parentheses are percentages of the respective counts.

Source: Field survey (household).

Status of Landownership

Patta Land

On examining the lands of the respondent HHS, it was found that among a total of 540 HHS, 409 already had patta land in their names, while another four joined this elite club after the implementation of the Act, totalling 413 HHS. However, this does not mean that the changes that occurred post-FRA were limited to only these four HHS because change in landholding was observed in other cases as well with variation in the amount of land. The only difference was that these four HHS had no patta land at all before the Act, while the remaining 127 HHS have landholdings in the form of encroached land. Regarding change in the land, while 409 HHS had 817 acres before the implementation of the FRA, after its implementation, the total landholdings of the 413 HHS increased to 993 acres, showing an overall increase of 21.5%, with an effective increase of 20% post-FRA, and an improvement in the average HH landholding from 2 to 2.4 acres. Gujarat recorded 45.2% change with regard to the average HH landholding – an increase from 1.46 acres pre-FRA to 2.12 acres post-FRA. In terms of an actual increase in acres, Gujarat recorded 39.1%, i.e., from 323.5 acres to 450 acres.

However, comparatively, Chhattisgarh falls short in all respects. Just 3.8% change was recorded with regard to average HH landholding, i.e., a marginal increase from 2.6 acres to 2.7 acres post FRA. As far as an increase in the actual acreage is concerned, it is only 10%, i.e., from 493.5 acres to 543 acres. The basic reason for this insignificant change in Chhattisgarh is because the distributed land for each claimant is far lower. Many of those beneficiaries received the land in mere cents (1 cent = 48.4 square yards). Nevertheless, this researcher has not come across a single FDP in the study who may have claimed the maximum allotable land of four ha. The maximum land claimed in both the states has not been greater than three acres.

Encroached Land

It would be interesting to analyse the so-called encroached land,³ as the crux of the FRA revolves around this issue. There are about 430 HHS that have had their landholdings labelled as

encroached before the FRA (this set of 430 HHS could also be holding some amount of lands with pattas). This decreased to 293 post-FRA, a drop by 31.9%. In terms of total acreage, it decreased from 1229 acres to 839.7 acres. However, there has been a marginal increase in the average HH landholding from 2.8 acres to 2.9 acres.

In Gujarat, the total acreage of land shows a drop from 836.5 to 562.3 acres, a -32.8%; similarly, the average HH landholding decreased from 3.12 acres (pre-FRA) to 2.86 acres (post-FRA), a -8.3%.

In the total acreage of land shows a drop from 392.5 to 277.4 acres, a -29.3% post-FRA, while the average HH landholding increased from 2.4 to 2.9 acres, a 19.2% change. It is important to note, particularly with regard to encroached section, that there is a -31.7% in the HH landholdings in Chhattisgarh and a -26.3% in the HH landholdings in Gujarat indicating that these HHs had their lands legalised post-FRA. This also means that distribution of land was affected comparatively on a larger scale in Chhattisgarh than in Gujarat. However, from the FRA implementation point of view, a -100% would have been appreciable. The combined landholdings of the HHs in both the states show that 68.3% of the HHs is yet to get legal recognition for their lands under the FRA.

Patta and Encroached Land Together

When patta and encroached lands are observed together, the total land in terms of acres shows a decrease from 2,046 to 1,832.5, which is -10.4%. This is basically because the issue of encroached lands is yet to be settled. However, by and large both the states have recorded similar trends. A very significant point to be considered from the above findings is that lands with patta in the post-FRA phase add up to 993 acres; similarly in the case of encroached land, it is 839.7 acres, while combined land in acres during the post-FRA phase shows 1,832.5 acres. This amount of land among a sample of 540, i.e., an average of only 2.6 acres, clearly shows how insignificant the total size of land is when compared to the huge stretches of land handed out on a platter to the industrialists, big and small alike. On other hand, it also reflects the innocence of the tribals when one of the respondents says that 2.5 acres of land with a reasonable irrigation facility is enough to sustain a family of 10 members. Given a choice, every tribal member would prefer plain land at the bottom of the hills for its better productivity and the relatively lesser energy required to carry on the agricultural activities.

Thus, those opposed to the FRA on the ground that the entire forestland is being handed over to the tribals and that it might result in a catastrophe for the rich biodiversity stand exposed. In fact, whatever land is being given out under the FRA has been under the control of the tribals or other FDP much before the FRA. When the FDP were asked about how they managed to keep the land despite the forest department's (FD) alleged atrocities, the tribals in both the states confessed that irrespective of the number of times they were evacuated from the forests or the FD destroyed their crops, they kept going back because they had no other means to sustain themselves.

Table 2: Percentage of HH Land (in acres) under Irrigation and the Sources

State / Land and Irrigation	% of Land under Irrigation						Main Source				
	1-20	21-40	41-60	61-80	81-100	GTotal	RV	CL/LK/RN	WL/TW	GTotal	
Chhattisgarh	16 (39)	4 (16.7)	3 (6.2)	1 (8.3)	0 (0)	24 (18.2)	3 (15)	2 (5.9)	19 (24.4)	24 (18.2)	
Gujarat	25 (60.8)	20 (83.3)	45 (93.8)	11 (91.7)	7 (100)	108 (81.8)	17 (85)	32 (94.1)	59 (75.6)	108 (81.8)	
Total	41 (31.1)	24 (18.2)	48 (36.4)	12 (9)	7 (5.3)	132 (100)	20 (15.2)	34 (25.7)	78 (59.1)	132 (100)	

Key: G = Grand; RW = Rainwater; RV = River; CL = Canal; LK = Lake; RN = Ravine; WL = Well; TW = Tube Well.

Figures in parentheses are percentages of the respective counts.

Source: Field survey (household).

They also confessed that they managed this by paying Rs 500 to Rs 1,000 as bribe to the local guard.

Irrigation Supply

Land under Irrigation

The value of agricultural land rises only when it is under reliable and assured irrigation. When asked about the percentage of their landholdings under irrigation, around 132 respondents reported having one or another source of irrigation though not for the entire landholding – it is important to mention here that an overwhelming majority among them are dependent on rainwater. While comparing the number of landholders as presented in Table 1 (p 60) with those in Table 2, it is observed that only about 5.3% of the respondents appear to have near 100% (between 81 and 100) irrigated land whereas the remaining respondents have only a partial stretch of their land under irrigation. The Gujarat tribals appear to be well placed in this regard compared to their Chhattisgarh counterparts. Overall, the HHs in both the states are poor as far as irrigation facility is concerned.

Source

Again, the sources of irrigation are important. These are mainly (59.1%) tube wells and dug wells (it is dug wells which are overwhelmingly more in number), followed by canals, lakes and ravines (25.7%), and rivers (15.2%). The highlight here is that 40% of the water requirements (for irrigation purpose) are drawn from naturally available sources. Comparatively, Gujarat is far ahead on this aspect. If natural source availability is discounted, human intervention has made a big difference in Gujarat. This means that the FDP there could afford to spend on tube wells and indulge in digging wells. The income of these respondents is marginally better as many of them are engaged in animal husbandry which fetches them additional income besides income from agriculture-related activities. Establishment of milk collection centres in the state within a periphery of 3 km is also the reason for their continuance with rearing cows (for details see Table 5).

Agricultural Produce for Sustenance: Cereals, Pulses, Oilseeds and Fruits & Vegetables

Crop yields, irrigation facilities, and type of land – all play an important role in determining the economic condition of a farmer. Table 3 (p 62) presents a picture of the situation in the study areas. As already seen in the preceding section, the average landholding size of the HHs is 2.6 acres, just a fraction above the marginal farmers at less than 2.5 acres per HH. It is interesting to examine what type of crops they produce on their lands and the changes in production they have undergone before and after the implementation of the FRA.

First, a look at the production of cereals and oilseeds shows an increase of 21% and 25.4%,

respectively in terms of average weight. Across the two states, the Gujarat HHs exhibited a formidable jump of 47% in the production of cereals as against Chhattisgarh's -0.8%. Similarly, a 51.4% change has been recorded in Gujarat in the production of oilseeds as compared to a -94.4% in Chhattisgarh. The reason for this massive change is that the farmers in Chhattisgarh have desisted from growing it, whereas, a marginal decline is observed in cereal production in the same state because of lack of irrigation, according to the respondents. However, the farmers in Gujarat showed a great improvement because of improved irrigation facilities in the form of tube wells and other government interventions.⁴ Furthermore, migration of tribals to the plain areas of Gujarat has exposed them to the techniques used by the farmers there, and they also invested their savings from working as labourers when they migrated during the off season.

A marginal decrease is observed in the number of HHs in Gujarat and a substantial increase in the number of HHs in Chhattisgarh with respect to the production of pulses, fruits and vegetables. Yet both these items have recorded a positive change, i.e., 54.5% for pulses, 11.7% for fruits and vegetables. Pulse production has increased by 57% and 67.1% in Chhattisgarh and Gujarat, respectively. In the case of fruits and vegetables, Gujarat farmers fared better at 41.4%, while their counterparts improved by only 18.2%. Other crops included fennel seeds, turmeric, fenugreek, and black pepper. A few HHs in Chhattisgarh started producing these crops after the FRA. There was a -27.8% decline in this respect which is quite

substantial; while in Gujarat, there was an increase by 100%, though the number of HHs increased from two to four and the production leaped to 333%, which is not significant though.

Psychology Matters

No specific reasons have been attributed to the variations in the quality of the production of crops in relation to the FRA, because more or less, all the respondents have been cultivating the same lands. The only difference is that some of them now have valid documents for their so-called "encroached" lands; thus the major difference is merely "psychological". This is quite evident when a couple of respondents said that after being in possession of proper documents they are now able to decide on what crops they want to cultivate without the fear of their crops being destroyed by the FD officials on charges of encroachment – these atrocities were rampant before the first half of the 1990s. Earlier, the farmers cultivated only short-duration crops or vegetables, but now they are able to cultivate cash crops that assure them more returns. Besides, there are sinking tube wells, and the farmers are investing in equipments such as pump-sets for drawing water without any fear. For further land improvement, however, they look towards approaching banks for loans. This happens more in Gujarat.

It is important to mention here that the agricultural implements and equipments used by the HHs – in both the states by the farmers is still old and outdated. It is observed that the ploughs are still made of wooden logs, and shovels pick axes, sickles, etc, are commonly seen. Only in one instance, a tractor

Table 3: Crop Yields of the Study HHs before and after FRA in Terms of Average Weight (in kg per annum)

State/Crops		Cereals			Pulses			Oilseeds			F and V			Others		
		Pre	Post	%C	Pre	Post	%C	Pre	Post	%C	Pre	Post	%C	Pre	Post	%C
Chhattisgarh	HH	202 (43.4)	199 (43.2)	-1.5 -	80 (26.6)	52 (19.1)	-35 -	35 (51.5)	18 (33.3)	-48.6 -	79 (84)	49 (77.8)	-38 -	36 (94.7)	26 (86.7)	-27.8 -
	CO	813.8	807.3	-0.8**	330.2	518.5	57**	230.2	208.6	-94.4	1,020.9	1,206.3	18.2	170.3	406.6	138.8
Gujarat	HH	263 (56.6)	262 (56.8)	-0.4 -	221 (73.4)	220 (80.9)	-0.5 -	33 (48.5)	36 (66.7)	9.1 -	15 (15.9)	14 (22.2)	-6.7 -	2 (5.3)	4 (13.3)	100 -
	CO	523.7	769.9	47***	167.6	280.1	67.1***	197.6	299.2	51.4***	146	206.4	41.4***	56	242.5	333
Total	HH	465 (100)	461 (100)	-0.9 -	301 (100)	272 (100)	-9.6 -	68 (100)	54 (100)	-20.6 -	94 (100)	63 (100)	-33 -	38 (100)	30 (100)	-21.1 -
	CO	649.7	786.1	21***	210.8	325.7	54.5***	214.4	268.9	25.4***	881.3	984.1	11.7*	164.3	384.7	134.1

Key: HH = Household; CO = Crop Output in Weight; F and V = Fruits and Vegetables; G = Grand; Pre = Pre-FRA (for a preceding year); Post = Post-FRA (last year); %C = Percentage Change; Cereals = Maize + Paddy + Wheat + Millet + Sorghum + Finger Millet; Pulses = Peason Pea + Black Gram + Custer Bean + Chick Peas + Green Gram + Cow Peas + Split Bengal Gram + Split Beans + Horse Gram + Green Peas; Oil Seeds = Castor + Cotton + Mustard + Groundnut + Sesame + Almond; F and V = Drumstick + Mango + Onion + Potato + Cabbage + Tomato; Others = Fennel Seeds + Turmeric + Fenugreek + Black Pepper; Formula Used to Calculate % Change: (post – pre) / pre × 100; T Test: *, **, *** = Values are significant at 1%, 5% and 10%, respectively. Figures in parentheses are percentages of the respective counts. Source: Field survey (household).

Table 4: Forest Produce Collection by the Study HHs before and after FRA in Terms of Average Weight (in kg per annum)

State/Forest Produce		Fuel Wood			Fodder			Leaves			Medicinal Plants			Fruits			Gum/Tadi/Honey		
		Pre	Post	%C	Pre	Post	%C	Pre	Post	%C	Pre	Post	%C	Pre	Post	%C	Pre	Post	%C
Chhattisgarh	HH	71 (22)	42 (15.2)	-40.8 -	1 (0.6)	149 (50)	14,800 -	149 (79.7)	69 (78.4)	-53.7 -	180 (97.3)	65 (94.2)	-63.9 -	11 (64.7)	3 (42.9)	-72.7 -	47 (75.8)	29 (96.7)	-38.3 -
	FP	235.1	361	53.6***	60	24.9	-58.5	2,545.3	1,455.8	-42.8*	316.3	818.4	158.7	561.4	1,017.7	81.3*	693.9	258.1	-62.8
Gujarat	HH	251 (78)	235 (84.8)	-6.4 -	167 (99.4)	149 (50)	-10.8 -	38 (20.3)	19 (21.6)	-50 -	5 (2.7)	4 (5.8)	-20 -	6 (35.3)	4 (57.1)	-33.3 -	15 (24.2)	1 (3.3)	-93.3 -
	FP	277.9	304.7	9.6***	294.2	298.7	1.5***	152.5	245.7	61.1***	184.8	351	89.9	214	345	61.2***	31.6	24	-24.1***
Total	HH	322 (100)	277 (100)	-14 -	168 (100)	298 (100)	77.4 -	187 (100)	88 (100)	-52.9 -	185 (100)	69 (100)	-62.7 -	17 (100)	7 (100)	-58.8 -	62 (100)	30 (100)	-51.6 -
	FP	268.4	313.3	16.7***	292.8	161.8	-44.7***	2059	114.5	-94.4***	312.7	248.5	-20.5	438.8	633.3	44.3**	533.7	250.3	-53.1***

Key: HH = Household; FP = Forest Produce in Weight; Pre = Pre-FRA (for a preceding year); Post = Post-FRA (last year); G = Grand; Tadi = Palm wine; Formula Used to Calculate % Change: (post – pre) / pre × 100; T Test: *, **, *** = Values are significant at 1%, 5% and 10%, respectively. Figures in parentheses are percentages of the respective counts. Source: Field survey (household).

was being used by a farmer for tilling his land in Valsad district in south Gujarat. This clearly indicates the plight of the FDPs involved in farming, and warrants an extension for all the rural development schemes so as to bring them on par with the farmers residing elsewhere in the revenue villages in both the states.

Dependence on Forest

Since all of the respondents have been living in the forest areas and are in fact FDP by definition as per FRA, it would be interesting to examine the extent of their dependence on forests for their livelihoods (Table 4, p 62).

Fuelwood

With regard to fuelwood, the total number of HHs collecting it from the forests has decreased (-14%); however, the quantity of fuelwood collection has registered a 16.7% change. This trend is visible in both the states, though the figures suggest this to be more prominent in Chhattisgarh (-40.8%) than Gujarat (-6.4%); and then again, in both the instances, the average weight of fuelwood collection has recorded an increase (Chhattisgarh: 53.6%; Gujarat: 9.6%). The reason for the decline in fuelwood is that they are now exploring other sources of fuel in both the states. Although in Chhattisgarh the quantity of average fuelwood extraction is observed to increase because the same HH members who have been bringing it from forests are not only using it for their HH consumption but also selling it to the nearby small-time hoteliers for their livelihoods. This does not attribute clearly to the poor who have the option of alternate sources of energy for cooking their food nor a livelihood alternative other than selling fuelwood collected from the forest. Another important aspect to note here is that the HHs selling fuelwood from the forest belong to such areas in both the states where the concentration of the particularly vulnerable tribal groups⁵ is high. Besides, these HHs are also dependent on wood logs for most of their other needs (for example to erect beams and pillars in their houses, agricultural equipments, domestic equipments, etc). However, they collect it as a one-time requirement.

Fodder

Rearing cattle is another activity of the people living in or on the fringes of the forest though not necessarily for the commercial purpose, as was the case in Chhattisgarh. The livestock are maintained by the FDP for HH consumption. This practice obviously requires fodder which is met by crop residues from paddy, vegetables, etc, grown on their agricultural lands. However, many times, they have to depend on forests for the same, especially if they have goats or sheep, which is true in the case of the HHs in this study. It is observed that there has been a slump of 44.7%, despite the number of HHs collecting fodder from forests registering an increase to the extent of 77.4%. However, about 14.8% change was recorded with respect to the number of HHs collecting fodder in Chhattisgarh. This huge difference is due to the fact that since a couple of years, the HHs in Chhattisgarh have been stocking whatever fodder

they could collect from the forests. On the other hand, earlier, the animals were freely taken for grazing in the forest (Table 4). On asking the reason for the change in this pattern, they replied, it was just a matter of convenience.

Leaves

Collection of leaves from the forest for preparing leaf-plates and beedis provides an additional source of income for the FDP. Discussions with the HH respondents revealed that there has been a whopping -94.4% (in terms of weight) in this respect because fewer number of HHs (99 HHs) are observed to be collecting leaves from forest post-FRA. In both the states, the number of HHs engaged in this activity has considerably decreased (Chhattisgarh: -53.7%; Gujarat: -50%), However, the net weight collection is observed to have declined in Chhattisgarh (-42.8%) while it increased in Gujarat (61.1%). The reason for this is that the number of HHs involved in this activity in Gujarat is less as compared to Chhattisgarh. Furthermore, in Gujarat, the tribal HHs have been less dependent on this source since the beginning. It is only in the thick forests of the Dang (south Gujarat) and Jambhuguda (east Gujarat) that they collect leaves for their livelihoods. On the other hand, in Chhattisgarh, the dependency on this source is reasonably good – for they (both men and women) collect leaves to last for about a month, following which they dry them properly before selling to the contractors. However, they have realised in recent times that they are not getting an adequate price for their labour; besides, they are not happy with the town/city-based labour contractors as they bring workers from Bihar, who work for a lower price, for plucking leaves during the season. This development has dented their spirit, prompting them to ask for beedi-making cottages and leaf-plate-making machines in their villages and towns instead of sending raw materials to other states. On realising the demand for these, they foresee employment for themselves all through the year (Table 4).

Medicinal Plants

Collecting medicinal plants from forest and selling them is a recent development that is being encouraged by the government and non-governmental organisations (NGOs) alike. Most forests in Chhattisgarh and certain parts of Gujarat are rich in medicinal plants. However, the number of HHs engaged in this activity is found to have declined in terms of a staggering -62.7% recorded during the post-FRA phase; so has the collection of medicinal plants (-20.5%). In Gujarat, this has never been a big attraction for the local people and naturally, the number of HHs engaged in this activity was and is far lesser and negligible. However, it is observed that Chhattisgarh too has recorded a decline in this respect to the tune of -63.9%, though the collection of medicinal plants (in terms of weight) in this state has increased (158%); the reason for this being that the market is slowly reaching out to the tribals due to the encouragement provided by certain NGOs with specifications regarding the kind and manner of medicinal plants to be collected (Table 4).

Fruits

A small number of tribals in both the states collect fruits from the forests. If 17 HHs were involved during the pre-FRA phase, only about seven HHs are now collecting fruits (-58.8% though with a 44.3% in terms of weight). In Chhattisgarh, just about three HHs are now active, while 11 HHs were engaged in this activity before FRA (-72.7% change, with a weight change of 81.3%). Similarly, in Gujarat, only six HHs used to collect fruits from forests, but now just four are involved in the activity. The implementation of the FRA has, however, had no impact whatsoever on this activity. The respondents report that they were freely entering into the forests for collecting custard apples, jackfruits, and other root-fruits even before the FRA came into force.

Gum, Palm Wine and Honey

Gum, palm wine and honey have been other sources of income that are integral to the tribal economy. However, this sector is found to be losing preference as far as the study is concerned, because the number of HHs engaged in this activity post-FRA has reduced by half (-51.6%), and the net weight of the commodities collected also has come down to half. In Gujarat, there were about 15 HHs involved earlier in this activity, but now only one HH has reported collecting honey. However, in Chhattisgarh, about 47 HHs used to collect gum, palm wine and honey that would work out to an average weight of around 693.9 kg per HH; while post-FRA, the number of HHs reduced to 29 with the net collection per HH, on an average, coming down to 258.1 kg, a -62.8% (Table 4). The reason for this decline is that the HH members no longer have the patience to go deep into the forest to collect these items. In the opinion of elderly respondents: "Today's youth lack the patience that their fathers and grandfathers had, more so, the zest or zeal to do it adventurously. They now look for easy ways, like working in shops, etc, in towns to earn better amount of money".

Reward for Their Catch

On probing further regarding the price FDP received for the forest produce collected by them, only a handful of the respondents in both the states said that they got a suitable price, while the majority of the respondents did not think so. The Chhattisgarh HH respondents were not satisfied with the price they received from the local shopkeepers and traders they traditionally sold their produce to. Similarly, in Gujarat, most of the respondents believed that they often got cheated on the price. Hence, a majority of the respondents do not sell their produce to anyone; they just collect whatever is sufficient for their own HH consumption. This clearly emphasises the fact that whatever changes have been recorded in the study are not entirely due to the impact of the FRA and that there are other factors that

have influenced them. Interestingly, in Chhattisgarh, a large section of the respondents still practise the barter system among themselves.

When asked about their knowledge regarding MFPs and nationalisation of these items, a majority of the respondents in Chhattisgarh said they were aware about this rule being informed by the forest guards, whereas in Gujarat, a majority were not aware of it. According to them, in the real situation of the HHs in both the states, this rule has no significant implications. It is only when the forest officials above the rank of a guard come on rounds that they have to be "careful". Whenever the officers from outside come on inspection, the locals are informed by the forest guard not to venture into the forests to collect any produce, especially fuelwood or wooden logs. The HH respondents express their concern with respect to saving the forests for their own survival. They say that they take adequate care not to indulge in activities that would cause further harm to the already depleting forests. They have realised that if they indulge in indiscriminate activities, it only results in the distance between their houses and the forests widening.

Livestock

For the HHs in both the states, the additional source of income or dependence on animal husbandry is a secondary option only after agriculture and agricultural labour. To find out the exact status, the HHs were specifically asked to report about the number of livestock they possessed in the pre-FRA phase and the last year (Table 5). The enquiry revealed that although livestock like ox, sheep, poultry and pigs are also reared by the HHs, the number is very small and insignificant. Hence, only such livestock details are discussed here that are substantial in number or make a difference to their living or local economy. The three important livestock that are discussed here include cows, buffaloes and goats.

Table 5: Possession of Livestock by the Study HHs before and after FRA (in numbers)

State/Animals		Cows			Buffaloes			Goats		
		Pre	Post	% C	Pre	Post	% C	Pre	Post	% C
Chhattisgarh	HH	57 (27.7)	54 (23.8)	-5.3 -	30 (25.2)	22 (18.5)	-26.7 -	37 (36.3)	51 (43.6)	37.8 -
	LS	126	107	-15.1	83	43	-48.2**	81	113	39.5*
	IY	4	2	-50	1	0	-100	4	0	-100
Gujarat	HH	149 (72.3)	173 (76.2)	16.1 -	89 (74.8)	97 (81.5)	8.9 -	65 (63.7)	66 (56.4)	1.5 -
	LS	240	235	-2.1	140	144	2.8	349	180	-48.4**
	IY	97	116	19.6	65	69	6.1	25	28	12
Total	HH	206 (100)	227 (100)	10.2 -	119 (100)	119 (100)	0 -	102 (100)	117 (100)	14.7 -
	LS	366	342	-6.6	223	187	-16.1*	430	293	-31.9*
	IY	101	118	16.1	66	69	4.5	29	28	-3.45

Key: HH = Household; LS = Livestock; IY = Income Yielding Livestock; G = Grand; Pre = Pre-FRA (for a preceding year); Post = Post-FRA (last year); Formula Used to Calculate % Change: (post - pre) / pre × 100; T Test: *, **, *** = Values are significant at 1%, 5% and 10%, respectively.

Figures in parentheses are percentages of the respective counts.

Source: Field survey (household).

Cows

To begin with, there is a negligible decline (-6.6%) in the number of cows in both the states. However, the contribution through cows to the income of the HHs has improved (16.1%). When the figures are compared between the states, it was observed that only 27.7% in the pre-FRA and 23.8% in the

post-FRA phases, the HH members in Chhattisgarh possessed cows. On the other hand, an overwhelming 72.3% of the HHs in the pre-FRA and 76.2% of HHs in the post FRA periods hold cows in Gujarat. Similarly, while the number of HHs in Chhattisgarh that make money through cows by selling milk stand at as low as four in the pre- and two in the post-FRA phases, in Gujarat, about two-thirds of the total number of cows helped the HHs in generating income for them (Table 5).

Buffaloes

When it comes to buffaloes, the number of HHs rearing them is similar to that of cows in both the states, except for a marked -48.2% in Chhattisgarh where the number of animals has considerably reduced from 83 to 43. On enquiring about the reason for this, the respondents said that their areas lack the required facilities for dairy farming and hence the productivity also has been less – many of them after trying their hand at dairy farming during the earlier years have sold off their buffaloes to other farmers living nearer urban areas. Another reason is the climate in Chhattisgarh that simply does not encourage cross breeds like Jersey buffaloes which often die and hence are sold off. In Gujarat on the other hand, the HHs continued to add income to their tally by selling buffalo milk.

Goats

In the case of goats, only about 102 HHs in the pre-FRA and another 117 HHs in the post-FRA periods have been rearing them in both the states, and their count has come down considerably (-31.9%) in the post-FRA period. This was primarily because their number has changed very significantly (-48.4%) in Gujarat, even while they registered an increase during the same phase in Chhattisgarh (39.5%). Nevertheless, the income generation by these animals is not too significant because these animals are not used for commercial purpose but basically for their own consumption in both the states. Quite a few environmentalists hold the view that goats cause damage to the forest by eating away small plants. However, among the HHs in this study, this issue appears to have no serious bearing. When questioned specifically about grazing, the respondents opined that they have enough vacant village lands to meet the needs of whatever number of cattle they have; those having goats and sheep also take their herds into the forests while ensuring that new plants are not disturbed by these animals; therefore, they have never experienced any problem or restrictions from anyone including the FD at least on this count.

Livestock Status in Both States

The overall observation regarding the wide differences between these two states in terms of livestock is that the Chhattisgarh HHs do not maintain their livestock for commercial gains; rather they keep them for own consumption and also for different reasons including cultural beliefs. Absence of market especially for milk (since the GP villages in Chhattisgarh are located in the interior of the forests as compared to Gujarat GP villages) is another reason. Such existing realities discouraged them from exploring this option further. In Gujarat, however,

the tribals explored various sources of avenues for income generation by taking a cue from their fellow Gujaratis. Moreover, Gujarat boasts of government-encouraged and promoted dairy collection centres in each village (at a maximum distance of 3 km from the respective villages).

Conclusions

The FRA is hailed as a landmark Act in the annals of Indian history in general and tribal history in particular. However good a legislation it needs to be implemented in word and spirit on the ground. Given the nature of the socio-economic and political dynamics of the country, serious efforts are required on the part of the respective local (in this case, state) governments to implement the law for the desired fulfilment of the objective. It is against this backdrop, that this researcher undertook this study – to assess and understand how far this legislation has been able to reach the FDP and help them improve their lives.

From this study in Chhattisgarh and Gujarat, it could be surmised that the FRA, with specific reference to livelihood issues, appears to have made little impact since its implementation. This article, focusing on the economic aspect, reaches the conclusion that not a great amount of land has been distributed among the FDP under the FRA; even in such villages where local panchayats have announced completion of the land settlements, far smaller lands measuring sometimes only a couple of cents were distributed when their claim was for much more. A large number of non-patta landholdings suggest that

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there are still quite a number of claimants whose status awaits settlement. Besides, this study has reiterated that no new forestland has been distributed to the claimants as some sections in the society tried to portray that this Act would wipe out the forest to a large extent. If at all it has made any difference, it has been more in terms of a “psychological boost” than anything else because this has helped the HHs (in our study) to invest in their lands, assured that nobody can take back from them the lands they have been occupying for decades though not as the “legal” owners.

However, their concern remains about poor irrigation facilities for whatever land they have under their occupation as this affects crop yields and productivity. Even those who have irrigation sources such as tube wells or dug wells are not in a position to extend these to their entire land. Hence, they too have to depend on natural resources such as lakes, rivers, ravines or canals for irrigating the remaining lands.

As far as crop yields are concerned, not much variation was observed between the pre- and post-FRA phase; however, the new beneficiaries sound positive and claim that they can carry out land development exercises assured that their efforts will not go waste and their crops will not be razed to the ground on allegations of trespassing or encroachment.

A decline in the MFP collection for livelihoods is mainly due to the presence of a poor market and the influx of outside workers as labourers employed by the labour contractors.

Possession of livestock does not appear to be a preferred option in Chhattisgarh because it has not caught the imagination of the people as it did in Gujarat. The Gujarat HHs are earning reasonably well through their livestock (cows and buffaloes) mainly because of government initiatives to set up dairy farms within a 3 km radius from the village habitations. From the livelihood point of view, except for the marked difference in the income generated by dairy farming in Gujarat, the gap between the livelihoods status between the FDP in the two states is not too wide.

A significant issue that ensues from this study is that even after the distribution of the claimed land to the FDP, the huge task of bringing them on par with the mainstream farmers living in revenue villages remains, because the FDPs are bereft of many government-initiated benefits and schemes only because their habitations are not recognised. There is an urgent need to recognise their habitations and extend these benefits to them, especially since their lands are now recognised legally. Further, this study reveals that the dependency on forest produce for sustenance or livelihoods by the FDPs has sharply declined. Moreover, they now appear to have almost become full-fledged farmers looking at their dependency on the agricultural land if not for producing their crop for commercial purpose at least for their survival. With respect to the possible difference between the states studied here, it is observed that the overall plight of the FDP in both remains the same.

NOTES

- 1 The concessions granted for removal from forest coupes on payment at stipulated rates, specified forest produce for bona fide domestic use, but not for barter or sale. The *nistar* rates are fixed by the FD for the special forest produce in consultation with the district collector.
- 2 Each village is to elect a committee consisting of 10 to 15 people from among its own residents; they verify the claims before placing them before the GS.
- 3 FD prefers to define such lands as encroached.
- 4 The government initiation in the form of *krishi mahotsav* was started in 2005 in Gujarat. During *krishi mahotsavs*, *krishi raths* (cars/buses) are organised with a multidisciplinary team of scientists, horticulturists and agriculturists who train and educate the farmers in villages. This promotes scientific farming and improves agricultural practices in the state. Besides, the poor farmers are provided with a kit containing fertilisers and seeds. The *raths* cover the entire state and visit each village in Gujarat. It is different matter that this programme is not bereft of criticism from the opposition.
- 5 Living standard of Particularly Vulnerable Tribal Groups is much below any Human Development Index (HDI) (GoI 2011).

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