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# Implementation of Forest Rights Act causes 'bureaucratic confusion'

**Gaurav Sharma** Posted: Sep 23, 2009 at 0329 hrs

**Ahmedabad** The implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, popularly known as the Forest Rights Act, is now causing 'bureaucratic confusion' between the Department of Tribal Development and the Forest and Environment Department.

THE issue pertains to the conflict of interests between the Forest Rights Committees and the Forest Protection Committees.

The Rights Committee is constituted in every village by the Tribal Development Department (TDD) under Section 6(1) of the Forest Rights Act, for the verification of land claims by the tribals before they are screened and approved at the taluka and district levels.

The Committee is granted access to non-timber forest products and share in timber revenue in return for protecting the forests from fire, grazing and illegal harvesting as well as carrying out plantation works.

The Protection Committee is constituted by the Forest and Environment Department under its Centrally-sponsored Joint Forest Management scheme, and though both committees involve the local village communities, they perceive their interests as conflicting in nature.

This is evident from such incidents reported in the Devgad Baria taluka of Dahod district, where the Protection Committee members vehemently opposed the land claims submitted to the gram panchayat by the Rights Committee.

Roop Singh Chauhan, Secretary, Eklavya Sangathan, an organisation based in Limkheda village in Dahod that has been fighting for tribal forest rights said: "Nearly 200 such cases have come to our notice where the land claims have been contended in the gram sabhas. The Protection Committees do it, as larger forest cover means larger incentives by the Forest Department."

In order to avoid such conflicts between the two committees, various panchayats have even approached the district and state level authorities to prevent the Protection Committees from plantation works until the Rights Committees in every village settles all land claims.

Chauhan said: "We have submitted a memorandum to this effect to T L Patel, Joint Director, TDD, in-charge FRA in the state."

Meanwhile, Patel acknowledged that there have been cases of misunderstanding between the two committees leading to such conflicts.

He said: "One basic difference between the two is that while Protection Committees are constituted as a co-operative, the Rights Committees are constituted by the democratically elected gram panchayats. According to the Section V of the Forest Rights Act, all issues pertaining to community rights have to be dealt by the democratically formed Rights Committees. These include the rights of minor forest produce, fuel and fodder (grass collection and feeding to the cattle), natural water resources as well as joint forest management."

He added: "If FRA itself provides for joint forest management, where is the need for Protection Committees to be constituted by the Forest Department. Once the Forest Rights Act is in full enactment, either the Protection Committees will be abolished or even if these remain, they will be superceded by the Rights Committees. Till that time, the TDD is trying to spread awareness regarding this in every village to avoid further conflicts."