

# Research Matters

English



## Whose 'right' is it in the Sundarbans?

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Read time: 1 min

Mumbai

13 May 2019



*Bureaucracy and political interests hinder the implementation of the Forest Rights Act, finds study*

A [quarter](#) of India's population, including indigenous tribes or *Adivasis*, have for centuries lived in and around forests, depending on it for their livelihood. When the British enacted laws to bring forests under the ownership of the state, these communities lost their homes and livelihoods. In 2006, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, also called the Forest Rights Act (FRA), was passed to assert the rights of these communities over the forests on which they always depended. After more than a decade, do these communities

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implementation of this law has been marred by bureaucracy.

The Forest Rights Act allows traditional forest dwelling communities the right to live in the forests, use them for agriculture and to collect non-timber forest products like honey. The tribal communities also have the right to take decisions on the forest and biodiversity conservation. The act also empowers Gram Sabhas, responsible for the supervision of forest management, to accept, verify and decide community and individual claims on forest lands by the tribals.

In the current study, the researchers have looked at the implementation of this law in the Sundarban Biosphere Reserve, the largest estuarine mangrove forests in the world, shared between India and Bangladesh. The findings were published in the journal *Environment, Development and Sustainability*.



*“FRA is presently a bone of contention in almost all of India, specifically those with tribal majorities. However the concerns of our study are quite unique and has not been documented earlier, although Odisha, Maharashtra, Jharkhand have a tinge of similar problems,” says Amrita Sen, a former PhD scholar at IIT Bombay and the lead author of the study. The researchers found that bureaucracy in the region, in collusion with local elites like forest workers, fishery owners, agriculturists and local political leaders, each with their vested interests, has resulted in the denial of forest rights to the tribal communities.*

The researchers interviewed 75 households in villages under the Satjelia Gram Panchayat of West Bengal. About 51 of them depended entirely on the forests for their livelihoods, while the rest supplemented their income through wage labour or migrated to cities during times unfavourable for fishing. Most of these villages had people from Scheduled Castes, including migrants from Bangladesh; Bhumij and Munda tribes, which are Scheduled Tribes; and those from Other Backward Classes.



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these forests. The needy and poor are unable to recognise their entitlements and are not active in local politics—a situation which the local elites have taken advantage of. “The five village-level representatives of the committee are mainly agriculturalists, fishery owners or service job holders, with no associations with forests,” say the authors.

A point in case is the village of Emilibari, where the JFM committee responsible for managing forests is formed by the political elites in the region, who are aligned with political parties currently in power. The lack of knowledge, literacy, money and power on the part of tribal communities have resulted in unequal representation, which adversely affects decisions on these matters, the study points out.



*“If the rights of the forest dependents are recognised through FRA, it would act as a major blow to the established vote banks in the village as well as to the incentives, which the different cadres of the political parties presently leverage in the villages”, explain the authors. The party workers in local panchayats detested the implementation of FRA time and again, and the police have interrupted awareness campaigns, they add.*

There are of course many reasons behind this discontent of the local elites. As a norm, powerful politicians pay a ransom to regional party offices to set up eco-hotels to attract tourism revenues and party workers liaise with the forest department to uphold their electoral interests. However, if FRA is implemented, the owners of the eco-hotels and fisheries, which are set up illegally on forest lands, would have to seek permission from the locals for running their ventures. Hence, attempts have been made by political party leaders to thwart awareness campaigns, conducted by several organisations, to equip the locals with the knowledge of their rights.

The study also found that the Backward Classes Welfare Department (BCWD), which is responsible for implementing FRA in the state, has left out identifying the two districts in the Sunderbans to enforce the act. “According to the functionaries, the deputations for implementing FRA in North and South 24 Parganas have been overruled repeatedly by the district magistrates and the forest department, considering the global prominence of Sundarban as a World Heritage Site,” the authors.

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these forests. On the contrary, the illegal activities of the local elites have considerably damaged the ecosystem, found the study. Encouraging tourism in a fragile mangrove ecosystem, for example, increases pollution in these forests, harming the health of these forests.

Fisheries, spurred by the increased demand for tiger prawns and crabs, is another culprit ruining the livelihood of the locals, say the authors. Most agricultural lands, belonging to the tribals, are being converted into fisheries by intentionally breaching the adjacent embankments. As a result, brackish water enters the nearby fields and destroys the crops. The owners of these fisheries, who are mostly political elites, thus benefit from the non-implementation of the FRA. Besides, the collection of prawn seeds reduces the young population of other fish, affecting the tribal fishermen.

The findings of the study highlight the politicisation and gaps in the implementation of the Forest Rights Act, a topic widely debated in academic circles. They explain how bureaucratic interventions and vested interests of the elites hinder the legal rights of the forest-dependent tribals. The study also shows how the already established mutual agreements between the elites and the bureaucrats in the region falter.



*“More research needs to be invested in pointing out the kinds of obstructions rendered by local elites and political parties towards FRA”, conclude the authors.*

*This article has been run past the researchers, whose work is covered, and the institution to ensure accuracy.*

Source

[The political agenda of implementing Forest Rights Act 2006: evidences from Ind...](#)

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