

## **ENSURING FOREST CONSERVATION THROUGH THE PROTECTION OF FOREST DWELLERS RIGHTS: A HOLISTIC APPROACH**

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### **ABSTRACT**

*This research paper explores the dual objectives of protecting the rights of forest dwellers and preserving forests within the framework of “India’s Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) (Recognition of Forest Rights) Act, 2006”. Indigenous communities, which often reside in forest regions, rely on trees for their subsistence, cultural practices, and social well-being. These communities play a crucial role in forest conservation, yet their rights are frequently challenged by developmental activities such as industrialization, mining, and infrastructure projects.*

*The paper begins by defining the term “indigenous people” within the Indian context and outlining their legal protections under both international and domestic laws. It then examines the specific provisions of the Forest Rights Act, emphasizing the legal recognition of forest dwellers rights and their implementation challenges. Through a doctrinal analysis, the study reviews relevant legislation, judicial pronouncements, and the role of various administrative bodies in upholding these rights.*

*Key findings highlight the need for a balanced approach that harmonizes developmental goals with the preservation of indigenous rights. Systemic problems with the Forest Rights Act’s implementation are identified by the research, such as bureaucratic delays and non-compliance by forest officials. Recommendations include stricter enforcement of the Act, involvement of non-governmental organizations in monitoring, and improved awareness and education initiatives for forest dwellers.*

*The study concludes that the effective implementation of the Forest Rights Act is essential not only for the protection of indigenous communities but also for sustainable forest management. Ensuring the rights of forest dwellers can contribute significantly to forest conservation efforts, thereby aligning with broader environmental and social justice goals.*

**Keywords:** The Forest Rights Act, forest dwellers, scheduled tribes, STs, OTFDs

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## **INTRODUCTION**

Every nation is made up of a variety of individuals, each contributing to the rich tapestry of its culture and society. Some groups of the population are thought to be culturally behind their counterparts. These groups are commonly referred to as indigenous people, tribal people, native people, etc. They often live in forest regions of the world, forming an intrinsic part of the natural landscape. They coexist harmoniously with the woodlands, relying on the forest not just for their physical sustenance but also for their cultural and spiritual needs. The woodlands provide them with a place to live, food, employment, and other necessities, establishing a symbiotic relationship that benefits both the forest and its human inhabitants. These indigenous communities are crucial to the preservation and defence of forests. Their traditional knowledge and practices contribute significantly to sustainable forest management and biodiversity conservation. The woodlands are even honored by certain tribes, who revere them as sacred spaces intertwined with their cultural and religious practices. Recognizing the vital role these communities play, various states have accorded them protections, advantages, and rights to mitigate their relative disadvantage. In accordance with several laws, India also grants the indigenous people a variety of rights.

One of the most significant and recent pieces of legislation in India is the “Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) (Recognition of Forest Rights) Act of 2006”. This Act acknowledges the traditional rights of indigenous people over forests, aiming to rectify historical injustices and ensure their continued role in forest conservation.

However, the interplay between these rights and the state’s developmental goals necessitates careful reconsideration. Developmental activities, such as the establishment of industries, mining operations, electrical projects, and the provision of land for residential use, often require encroachment upon forested areas. Balancing the rights of indigenous peoples with the needs of other societal groups for development is therefore a complex and delicate task.

This article aims to analyze the level of execution of the rights held by the indigenous people of India, specifically considering the “Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) (Recognition of Forest Rights) Act, 2006”. The article first defines who is meant by the phrase “indigenous people” in India before studying their legal rights and protections under both international and domestic law. The importance of forests for these

indigenous groups and their rights because of their reliance on the forests are then explained. The “Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) (Recognition of Forest Rights) Act, 2006” is examined while considering the information made available by the Government of India. Some corrections to the current system have been suggested in the last section to guarantee the indigenous community’s rights are given the respect they merit.

## **DEFINING INDIGENOUS PEOPLE/ SCHEDULED TRIBES/ OTHER TRADITIONAL FOREST DWELLERS**

Indigenous people are defined in the Indigenous and Tribal people Convention, 1957<sup>1</sup> as *“members of tribal or semi-tribal populations in independent countries which are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization and which, irrespective of their legal status, live more in conformity with the social, economic and cultural institutions of that time than with the institutions of the nation to which they belong.”*<sup>2</sup>

India maintains the stand that all citizens of India are indigenous. In India, the term *“indigenous people”* as such has not been used, but instead *“Scheduled Tribes”* (*“ST’s”*) or *“Other traditional forest dwellers”* (*“OTFD’s”*) find reference at various places.

The *“Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) (Recognition of Forest Rights) Act,”*2006<sup>3</sup> (*“Forest Rights Act”*) defines OTFD as *“any member or community who has for at least three generations (generation means a period comprising of 25 years) prior to the 13th day of December, 2005 primarily resided in and who depend on the forest or forests land for bona fide livelihood needs.”*<sup>4</sup>

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<sup>1</sup>“Indigenous and Tribal Populations Convention, 1957 (No. 107)”.

<sup>2</sup>*Id.*, art. 1.

<sup>3</sup>“The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Act No. 2 of 2007)”.

<sup>4</sup>*Id.*, s. 2(o).

## **THE RIGHTS AND PROTECTION GUARANTEED UNDER LAW**

### **i. International Instruments**

The first effort at codifying the international duties of states in relation to “indigenous and tribal populations” was made at the international level with the adoption of the “Indigenous and Tribal Populations Convention, 1957” (No. 107) (“ILO Convention no. 107”) by the ILO. “Convention No. 107 is a comprehensive tool for development, embracing a wide range of topics such as land; recruiting and work conditions; vocational training, handicrafts, and rural industries; social security and health; and education and means of communication.” On the recommendation of a Committee of Experts that the “ILO Governing Body” had gathered in 1986, and the Convention was updated in 1989. As a result, Convention No. 169 was approved. Convention No. 169 placed greater emphasis on acknowledging and respecting ethnic and cultural variety than Convention No. 107 did on integrating indigenous populations. Its foundational tenet is that enduring societies belong to indigenous/native and tribal people. By restating that “Indigenous and tribal peoples should enjoy the full measure of human rights and basic freedoms without impediment or prejudice,” ILO Convention No. 169<sup>5</sup> advances the goal of “ILO Convention No. 107”.

Indigenous and tribal peoples are not defined in any of the Conventions. However, these Conventions provide criteria<sup>6</sup> for classifying indigenous/native and tribal peoples, with “Self-identification” as the main one. “*Traditional life styles, culture, and way of life different from other sectors of the national population, for example, in their means of subsistence, languages, traditions, etc., and own social organization and traditional rules and laws,*” are elements of tribal peoples.<sup>7</sup> Indigenous people may be those who live a traditional lifestyle, who differ from other sections of the national population in terms of their culture and way of life (e.g., in terms of their means of subsistence, languages, customs, etc.), who have their own social structures and political institutions, and who have lived in a particular region historically or before others “invaded” or settled the region.

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<sup>5</sup> “Indigenous and Tribal Peoples Convention, 1989 (No. 169), art 1(1)”.

<sup>6</sup>*Supra* note, 2, art 1.

<sup>7</sup>*Id.*

Insofar as there is no inconsistency between domestic and international law, “Indian Courts” have cited Article 51<sup>8</sup> of the Constitution to find that certain international conventions, treaties, etc., become a part of domestic law, especially those to which the country is a party or signatory.<sup>9</sup> Therefore, it is possible to consider the two Conventions mentioned above as well as several other human rights documents to be a part of local law. This means that even if they are not followed exactly, at least in spirit, they must be relevant in the nation.

## ii. Domestic Law

The Constitution of India, the supreme law of the land, makes several references to the rights to life, the environment, and related rights to all citizens when it comes to references to the Indigenous community in domestic law. The basic right to life, which includes the right to live with dignity and the right to a place to call home<sup>10</sup>, is guaranteed by Article 21. As per the Forest Rights Act, 2006, legally speaking, “STs” and “OTFDs” “have the right to hold and live in the forest land, right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected, other community rights of uses or entitlements, rights of community tenures of habitat and habitation, rights in or over disputed lands, rights for conversion of Pattas or leases, right to protect, regenerate, conserve, or manage any forest community resource, which was being protected traditionally and was conserved for sustainable use, access to right to bio-diversity.” While acknowledging the religious and customary rights of STs and OTFDs in “*Orissa Mining Corporation Ltd. v. Ministry of Environment & Forest*”<sup>11</sup>, the Supreme Court stated that “*the religious freedom that STs and OTFDs are entitled to under Articles 25 and 26 of the Constitution “is intended to be a guide to a community of life and social demands.” The aforementioned articles grant them the freedom to perform and spread all customs and rites that are deemed as essential to their religion, as well as matters of faith and belief.*” Subsequently, the Supreme Court ruled that the Gram Sabha must take into account, safeguard, and preserve the rights of STs and OTFDs in the Kalahandi and Rayagada Districts of Orissa, including Dongaria Kondh, Kutia Kandha, and others, in accordance with Section 6 of the FRA, 2006, and Section 4(d) of the “Panchayats (Extension to the Scheduled Areas) Act,

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<sup>8</sup>The Constitution of India, art. 51.

<sup>9</sup>*In Re Berubari Union and Exchange of Enclaves*, AIR 1960 SC 845.

<sup>10</sup>*Olga Tellis and Ors. v. Bombay Municipal Corporation*, AIR 1986 SC 180.

<sup>11</sup>Writ Petition (Civil) No. 180 of 2011.

1996”<sup>12</sup> (“PESA”). The Indian Forest Act, 1927<sup>13</sup> (“Forest Act”) also stipulates that any new clearing, tree felling, or land division for any reason is forbidden in a designated forest.<sup>14</sup> A donation by way of a documented contract established by the government or succession are the only ways to get any rights over restricted forest areas.<sup>15</sup>

Additionally, according to the “National Forest Policy of 1988”<sup>16</sup>, “*The holders of customary rights and concessions in forest regions should be driven to identify themselves with the conservation and development of forests from which they gain advantages. The people living in and surrounding forest regions, especially the indigenous ones, should be given priority when it comes to using the rights and concessions from the forest for legitimate purposes.*”<sup>17</sup> The statement continues, “Forests are the center of tribal and other impoverished people’s lives who live in and around forests. They should have all of their privileges and rights completely preserved. The first charge on forest products should be for their home needs of fire wood, forage, minor forest production, and building timber. These, as well as alternatives, must be affordable and accessible through depots that are conveniently positioned.”<sup>18</sup>

## **DEPENDENCE OF STS & OTFDS ON FORESTS**

“*Agriculture is the only source of livelihood for STs, except from the collection and sale of small forest produce to augment their income,*” as stated by the Hon’ble Supreme Court in “***Samatha v. State of Andhra Pradesh***”<sup>19</sup>. “*Land is the tribal people’s most significant natural resource, most precious asset, and imperishable endowment from which they receive their subsistence, social standing, economic equality, and a permanent location to live, work, and play. It offers stability and a means of achieving economic independence. As a result, the tribes have strong emotional ties to their homelands. They are guaranteed equality of status and human dignity on the land they live and work on, which also serves as a powerful tool for social democracy’s*

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<sup>12</sup>“The Provisions of The Panchayats (Extension to The Scheduled Areas) Act, 1996 (Act No. 40 of 1996).”

<sup>13</sup> The Indian Forest Act, 1927 (Act No. 16 of 1927).

<sup>14</sup> The Indian Forest Act, 1927 (Act No. 16 of 1927), s. 5.

<sup>15</sup> The Indian Forest Act, 1927 (Act No. 16 of 1927), ss. 5, 23.

<sup>16</sup> National Forest Policy, 1988, No.3-1/86-FP, Ministry of Environment and Forests (Department of Environment, Forests & Wildlife).

<sup>17</sup>*Id.*

<sup>18</sup>*Id.*

<sup>19</sup> AIR 1997 SC 3297.

*economic development.” It also stated that<sup>20</sup>“Ninety percent of the Scheduled Tribes live primarily in forest areas and difficult terrains, 95 percent of them are below the poverty line, and they completely depend on agriculture or activities related to agriculture; some of them end up working as migrant construction labor due to their displacement from their homes and hearts for the alleged exploitation of minerals and projects.”<sup>21</sup> In addition, the Supreme Court stated that “because of the OTFD’s near total reliance on the forest, the breach of the safeguards provided to their “habitat and habitations” by the Forest Rights Act, 2006, is simply intolerable.”<sup>22</sup>*

## **STRIKING BALANCE BETWEEN THE RIGHTS OF STS AND OTFDS AND DEVELOPMENT ACTIVITIES**

It has been determined that STs and OTFDs rights in the woods are essential. The significance of developmental activities, however, cannot be understated in the rapidly expanding world of today. As a result of the need for a large amount of land, woods are cut down and encroached upon. The rights of the tribal peoples and the development initiatives that have a negative impact on the woods and the people who live there must be balanced to achieve this. As a result, in problems involving development and the environment, it is a necessary to assess in the public interest, using a “reasonable person’s” test<sup>23</sup>, if there is a danger of harm to the environment (in this example, the woods), or to human health. It is important to respect both fundamental rights and societal interests. In “*T.N. Godavarman Thirumalpad v. Union of India & Ors.*,”<sup>24</sup> the Apex Court stated that “*in case of developmental initiatives the comparative sufferings have to be weighed and the convenience and advantage to a greater portion of the population has to receive priority over relatively minor difficulty.*”

According to ILO Convention No. 107, indigenous peoples may be relocated “for reasons pertaining to national security, or in the interest of national economic growth, or in the health of the aforementioned [indigenous] communities.”<sup>25</sup> As a result, economic growth is a legitimate justification for the displacement of indigenous/tribal people from their original historically

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<sup>20</sup>*Id.*

<sup>21</sup>*Supra* note 19.

<sup>22</sup>“*Orissa Mining Corporation Ltd. v. Ministry of Environment and Forest*”, (2013) 6 SCC 476.

<sup>23</sup>“*AP Pollution Control Board v. Prof. M.V. Nayuder (Retd)*”, [1999] 1 SCR 235.

<sup>24</sup> (2012) 3 SCC 277.

<sup>25</sup>“*Indigenous and Tribal Populations Convention, 1957 (No. 107), art. 12*”.

inhabited territories. However, it is also the responsibility of all forest management agencies, such as forest development corporations, to collaborate closely with tribal people in protecting, regenerating, and developing forests and providing sustainable livelihoods for people living in and around forests; doing so while keeping in mind the mutually beneficial nature of the relationship between tribal people and forests.<sup>26</sup>

The goal of the Forest Rights Act was to formally acknowledge the customary rights of OTFDs and STs. The Act tried to achieve the balance by granting subjects rights while permitting outside operations within forests. In such instances, STs and OTFDs were given the ability to file a claim. However, the Forest Rights Act has failed to achieve its intended goal, and foresters are now left with few options.

## **THE FOREST RIGHTS ACT**

The Forest Right Act recognizes our indigenous conservation culture, which has been shamelessly neglected by colonial administration for years in order to maximize commercial profits. Forests and their inhabitants are inextricably linked. Even after independence, a succession of laws exploited forest resources, neglecting the legitimate interests of the indigenous population. Because of the simple nature of tribal law and their common understanding of modern and advanced regulatory systems, people were unable to assert legitimate claims to resources in places where they belonged and relied on. As a result, the Forest Rights Act took a very comprehensive approach to combining environmental concerns about forest protection with the views of forest inhabitants who are physically and emotionally estranged from their natural ecosystems.

### **i. Need**

During the colonial era, the British diverted the country's vast forest wealth to meet their economic demands. Even though laws like the Indian Forest Act of 1927 allowed for the settlement of rights, they were hardly ever put into practice. Tribal and forest residents, who had previously coexisted peacefully with woods, as a result, started to live in a state of temporary insecurity; this situation continued even after independence as they were marginalized. The

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<sup>26</sup>*Supra* note 16.



symbiotic relationship between forests and the people that live in them was acknowledged in the “National Forest Policy of 1988”. The plan placed a strong focus on the necessity of involving tribal people in the development, regeneration, and conservation of forests. To protect disadvantaged people and achieve a balance between their rights to the environment and their lives and means of subsistence, the “Scheduled Tribes, and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006” was created. To protect disadvantaged people and achieve a balance between their rights to the environment and their lives and means of subsistence, the “Scheduled Tribes, and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006” was created.

## **ii. Scope of the Forest Rights Act**

Additionally, to the individual rights, the Forest Rights Act acknowledges and protects community rights, or rights over natural resources that belong to all communities. This Act also acknowledges the rights of tribal populations that are vulnerable and whose rights have not yet been safeguarded, which include primitive tribal groups, nomadic people and their tribes, and pastoralist societies<sup>27</sup>. The right to management, regeneration, conservation, and preservation of community forest resources granted to forest dwellers<sup>28</sup> is this Act’s most notable aspect. As a result, this legislation not only upholds the tribes right to subsistence but also upholds their long-standing custom of conserving and wisely using the forest’s resources. Additionally, this privilege enhances democratic forest governance under community control within traditional village borders. Additionally, this Act recognizes the rights of communities that live in forests regarding the government’s development of facilities for health and education, fair-priced stores, electricity lines, water tanks and other small water-bodies, water pipelines and supplies, and non-conventional energy sources. The Act lays out a step-by-step participatory procedural framework for tribal members to approve individual or community claims. This framework includes receiving claims, consolidating, and verifying them by the Gram Sabha, then submitting them to the sub-divisional committee for review, and finally to the District Committee<sup>29</sup> for final approval.

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<sup>27</sup> *Supra* note 3, s.3(1), 3(1)(e).

<sup>28</sup> *Ibid*, s. 3(1)(i).

<sup>29</sup> *Supra* note 3, s.3(2).

## **THE FOREST RIGHTS ACT'S POOR IMPLEMENTATION**

The founding of the Forest Rights Committee in West Bengal's North Bengal area was "seriously unlawful,"<sup>30</sup> according to the "National level Committee" on the Forest Rights Act (the "Forest Rights Committee"). In many FRCs, the elected member of the Gram Sabha or Sansad, has the positions of President and Secretary. These FRCs were not established in accordance with the Forest Rights Rules. Without an honest, transparent, and fair procedure, they were created. On paper, certain names were provided, and those FRCs received formal approval.

According to Sec. 6(1)<sup>31</sup>, the Gram Sabha oversees deciding whether the forest-dwelling STs and OTFDs will be granted individual or collective forest rights, or both. In accordance with rule 3(1)<sup>32</sup> of the forest rights rules, the Gram-Panchayat is responsible for calling meetings of the Gram Sabha, and at the first such meeting, The Gramme Sabha will choose a committee consisting of at least ten and up to fifteen members, with at least one-third being STs, to serve on the Forest Rights Committee. In certain states, Forest Rights Committees have not been established at the village or habitat level, despite the Forest Rights Act's mandate, even in PESA<sup>33</sup> zones.

Gram Sabha members and Forest Department employees often lack any awareness of the existence of such a law. A claim for title under the Forest Rights Act must be approved by a committee at four different levels: the gramme panchayat, the sub-divisional level monitoring committee, the district level monitoring committee, and the state level monitoring committee. Conversely, the Forest Rights Act does not have a robust enough system of checks and balances to ensure that these claims are resolved in a timely manner. When these nodal committees cause delays in claims processing, the Forest Rights Act and its Rules offer no recourse. The lackadaisical attitude of the decentralized committees has led to an increase in latches in the Act's implementation. Similarly, the website's reference materials, such as presentations and

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<sup>30</sup> The National Committee on the Forest Rights Act, Implementation of Forest Rights Act in North Bengal, [http://fracommittee.icfre.org/TripReports/North%20Bengal/North%20Bengal%20\(25-26%20%20Sept%202010\).pdf](http://fracommittee.icfre.org/TripReports/North%20Bengal/North%20Bengal%20(25-26%20%20Sept%202010).pdf). (last visited on May 26, 2024).

<sup>31</sup>"The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006" (Act No. 2 of 2007), s. 6.

<sup>32</sup>"The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Amendment Rules, 2012" (vide Notification No G.S.R. No. 669 (E). dated 6th September, 2012), Rule 3 (1).

<sup>33</sup>"The Provisions of The Panchayats (Extension to The Scheduled Areas) Act, 1996" (Act No.40 Of 1996).

guides to the implementation of the Forest Rights Act and its various stages, are primarily available in Odia, making them incomprehensible to many visitors and effectively useless.

## **CHALLENGES**

The hardest part of the act's implementation is still finding ways to enforce it because environmental operations are not always legal, there have been illegal encroachments, and claims have been incorrectly rejected because tribal people do not make up a sizable portion of the voter base in most states. Governments find it convenient to disregard this law completely or to break it to receive financial benefits.

Purposeful devastation has been committed by large corporations and the national and state forest bureaucracies. Corporate worries about losing inexpensive access to valuable natural resources are shared by the forest bureaucracy, which fears losing its extensive control over both people and land. Aside from this, the Gram Sabha produces rough maps of community and personal claims, but it is usually inadequate regarding learning and lacks technical expertise. Intense documentation of organization's claims under the Act is a frightening and time-consuming process for uneducated tribal people.

## **CONCLUSION & RECOMMENDATIONS**

Several states have had significant setbacks in implementing the Forest Rights Act. To prevent tribal claimants from being misled by forest officials and authorities, it is necessary to monitor the Act's proper implementation by involving non-government organizations in the process. Furthermore, the Ministry of Tribal Affairs ("MoTA") should apply severe penalties to discourage this unlawful behavior.

Claims that are denied should be thoroughly reviewed by higher-level committees so that the reasons for the denial can be clarified. There have been other incidents when personnel authorized to enforce the Act, in collusion with the Forest Department, took advantage of the ignorance of the Gram Panchayats and, often, the tribal people who lived there. If a claimant in the Bokaro region of Jharkhand has any private revenue property, they would likely have their claim denied on the grounds that they are not "mainly dependent" on forest land. Because the

Act does not include a condition of “primary dependency,” this is an inaccurate interpretation. Considering the increased rate at which Forest Rights Act claims are being rejected, the “MoTA” wrote to state governments on July 15th, 2010, urging them to “initiate an action immediately, on a statistically acceptable sampling basis, at the level of Gram Sabha and Sub Divisional level Committees for categorizing all rejections, with their numbers.” The letter also proposed some categories under which claims might be rejected.

Forest agencies have not helped carry out the application of the Forest Rights Act. For instance, locals in the villages (Latada, Sadra, Jhuna, Joba, Bhagora) surrounding Rajasthan’s Kumbhalgarh Wildlife Sanctuary constructed a tiny dam and irrigated their fields with its waters for decades until the Department sealed off the park. Despite provisions in the Forest Rights Act for several stages, do multi-stakeholder verification and decision-making, authorities under the Act have often relied on the forest opinions of forest staff/officers, showing a lack of confidence in the full committee decision-making process. Additionally, because Tribal Department officers often lack the interest and capacity to handle matters of forest rights, the foresters often refuse to give documents for verification. Rejections have been happening all over the place without providing applicants a fair chance to be heard, which is a clear violation of the Forest Rights Act, or on invalid reasons that are either inappropriate given the ongoing situation in those places or are not recognized under the Act.

The Forest Service has unlawfully appropriated tribally owned land and resources. Using unlawful means, the Department of Agriculture converted a school in Sumer into a forest. Since pastoralists and local livestock keepers rely heavily on forests, they are often the targets of extortion by foresters.

The “MoTA” also must bolster its position as the nodal agency by rigorously monitoring the execution of the Act, keeping detailed records of implementation, issuing clarifying circulars, and urging states to act against officials who are in violation of the law. The Ministry of Transportation and Highways (“MoTA”) would do well to follow the lead of the Ministry of Environment and Forests (“MoEF”), which has played a significant role in EIA at both the state and federal levels. The Ministry of Transport and Communications (“MoTC”) must respond

swiftly in response to the conclusions of the Status Report<sup>34</sup> on the Implementation of the Act and enforce the Act's provisions vigorously when authorities break them.

According to the National Forest Policy, the State's top priority should be to find a middle ground between the traditional rights and interests of forest residents and development initiatives tailored to the demands of the indigenous community. People who live in and around forests should be given opportunities for economic growth and development so that they can maintain and restore these ecosystems. Prefer of approving forest uses, most people would rather approve infrastructure (buildings or a site for it).

The indigenous population is just as much a part of India as everyone else's. As representations of our indigenous religions and customs, they carry an even deeper significance. If even a fraction of these recommendations is implemented, indigenous people will finally be given a voice at the table. As a result, now is the moment for forestry programs to priorities implementing integrated area development initiatives to address the requirements of the local tribal economy in and around forested regions, all the while protecting the traditional rights and interests of these communities.

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<sup>34</sup> Vasundhara & Kalpavriksh, "A National Report on Community Forest Rights under the Forest Rights Act: Status and Issues" (Community Forest Rights Learning & Advocacy Process, 2012).