

## **Community Forest Rights Ownership: Collective Action of Tribal and Forest-Dwelling Communities Helped Assert Their Forest Rights in Odisha**

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### **Abstract**

The villagers of Nayagarh district in Odisha, India, have been protecting and reviving their community forest for decades. After years of hard work, the forest regenerated, wildlife returned, and streams started flowing again. However, illegal logging and hunting by some villagers and even the Forest Department threatened the community's efforts. In response, the villagers formed the Community Forest Resources Management Committee (CFRMC), which established rules and regulations for the sustainable use and protection of the forest. When they discovered the Forest Department had cut down trees without their permission, they petitioned for forest ownership under the Forest Rights Act 2006. It empowered them with rights for protection, regeneration, conservation, and management of forest resources.

The villagers' ownership of the forest gives them food and livelihood and allows them to establish boundaries to restrict outsiders' entry. They carefully considered the cattle grazing land, barren land, streams, types of trees, forest deity, and places their ancestors used to visit when redrawing the traditional boundary line. The restrictions on outsiders are also expected to protect the forest from fires, which the villagers toiled hard to extinguish in the past.

Their journey to get the CFR titles and recognition was not easy, as they faced protests and legal battles with industries and the government. Nonetheless, their persistence and collective efforts paid off, and 1,239 out of 1,695 villages in Nayagarh district have now applied for CFR titles. The community's story is a testament to the power of collective action, perseverance, and traditional ecological knowledge in restoring and protecting our natural resources.

### **Introduction**

In the 1970s, the Sulia Forest in Odisha's Nayagarh district had 30 square kilometers of forest cover, and the villages around it depended on it for their livelihoods. The unplanned use of these resources resulted in extensive degradation of the forest. Later, in the 1980s, five small villages in the area (Raghunathpur, Kushapanderi, Barapalla, Pandusara, and Kalyanpur) made several attempts to revive the forest. The villagers started thengapali (patrolling the forest with sticks) to guard the forest. After a decade of hard work, the forest regenerated, wildlife returned, and streams started flowing again.

However, this revival was short-lived. A few villages started exploiting the forest by extracting wood illegally and hunting wild animals. The five villages contacted two local organizations, the Brukshya O Jeevan Bandhu Parisad, and the Jangala Surakhya Mahasangha, for help. In 1995, the two organisations intervened and held several meetings with different villages to resolve the issue. It was collectively decided that village representatives would cooperate to protect the forest. The decision spread to other villages, and women took over to protect their forest through the gapali.

In January 2020, a few villagers of Mitukuli, in Odisha's Nayagarh district, found nearly 225 well-grown trees cut down by the Forest Department. Infuriated, they put the issue before the Community Forest Resources Management Committee (CFRMC) formed by the villagers. The committee has rules and regulations on how the forest resources must be governed. For example, one was only allowed to enter the forest with prior permission from the committee; all forest resources must be shared equally among the villages and any forest-related problems. However, they found that even though they were protecting the forest, the Forest Department needed to inform them before cutting down trees. They put the issue before the Gram Sabha (the primary body of elected representatives). It was decided that the villagers would claim ownership of the forest they had been protecting for generations. It kickstarted the process of reclaiming the forest. They petitioned Community Forest Resources (CFR) ownership under the Forest Rights Act 2006 (FRA). The committee believed this would empower them with rights for protection, regeneration, conservation, and management of forest resources.

### **Reimagining Borders**

On average, the villagers barely have about two acres of cultivable land each, where they generally grow paddy. They collect sal, salt, tendu leaves, mushroom fruits, Khulna, honey, Rahul, Palau, Shatavari, and odango from the forest to supplement their income and nutrition. Dhaneswar Jani, a representative of Adivasi Cell in Nayagarh district, said, "Our ancestors have been protecting this forest, and now we continue their legacy. If we establish the boundary, it will empower us to restrict the entry of outsiders." They wanted ownership of the forest, which would give them food and livelihood. The department often cuts down and takes away the timber to make rath (chariot) for Lord Jagannath, cutting down Siali creepers to clean the forest and plant trees that benefit them. They never thought to consult the villagers or take their permission.

Ironically, the villagers had to worry about being arbitrarily pulled up by forest guards for venturing into the forest. The community sat together to redraw the traditional boundary line so they could use resources and impose restrictions. They also invited neighbouring villagers, the revenue inspector, and officials from the forest department for joint verification and to avoid any conflict in the future.

While redrawing the boundary line, they considered the cattle grazing land, barren land, streams, types of trees, forest deity, and places their ancestors used to visit. In 1999-2000, when the villagers faced drought-like conditions, their forest saved them from being starved. Women used to venture into the forest to collect Siali leaves and stitch them, while the men sold these in the

market to buy rice for their families. Besides tubers, different types of spinach, potatoes, and mushrooms helped them to survive.

They also believe the restrictions on outsiders will protect the forest from fires. Whenever there is any forest fire, the villagers toil hard to extinguish the fire. They believe the restrictions on access will protect their forest. Nayagarh district comprises 1,695 villages, of which 1,239 have applied for Community Forest Resources (CFR) titles. When the titles were distributed in November 2021, it encouraged other villagers to extend their claims for titles.

### **A Long Fight**

Their journey to get the CFR titles and recognition was difficult. During the 2020 lockdown, when everybody was inside their homes to stay safe from Covid-19, 100-150 villagers, mostly women, walked to Ranpur block to protest in front of the Block Office. Six years ago, these villagers protested when a crusher owner came to their village and set up his unit. However, he said the government owns the forest, and he has taken it on lease from the government. The villagers questioned him; when they had been protecting their forest for generations, how could the government give it to others on lease without asking them?

Recalling an old incident, Premananda Sahoo of Nandapur village said they have been protecting the forest since 1981. There was a time when they did not get a single piece of wood to light the funeral pyre. Sometimes they waited one or two days with the dead body to get wood from the forest. At the time, the forest department was 'protecting' the forest. They cut down all the trees in the name of protection.

Villagers decided they would save their forest from smugglers and other intruders and stopped the entry of forest officials to let the trees grow. In these years, not only have they saved their forest, but they are also getting sufficient rain for cultivation, and biodiversity is protected.

### **Women's Struggle**

Earlier, men were protecting the forest, but smugglers repeatedly attacked them, and then women decided to protect it. Since then, women have protected the forest in the entire Nayagarh district. They wake up early in the morning, finish household chores, join at a particular point, and venture into the forest with a stick. Now their daughters and daughters-in-law have also joined them. The women have also faced attacks from smugglers, but they did not get scared. Instead, they protested and fought whenever they encountered smugglers inside the forest. To protect their forest from smugglers, the women keep sharp instruments (sickles) with them, as the smugglers also keep sharp weapons with them. They carry it because they will attack them if they see them harming their forest. The ownership title makes them feel happy and empowered. It also gives them the strength to protest the entry of outsiders to destroy their forest.

### **From Federation to Title**

The villagers struggled to save their forest from smugglers and thieves two decades ago. Vasundhara, a research and policy advocacy group that works on environment, conservation, and sustainable livelihood in Odisha, sensitized villagers and empowered women to protect their forests and helped them to form a federation. “Women were sensitized to collect forest produce and sell it in the market for their livelihood. We helped them for market linkage of Siali leaves and government advocacy for tendu leaves so they can earn better,” said Bijayalaxmi Biswal, project coordinator in Vasundhara.

Forest remained the primary source of livelihood for the tribal and other forest-dwelling families. The FRA, implemented in 2006, recognizes the rights of forest-dwelling tribal communities and other traditional forest dwellers to forest resources. It provides scope for the forest dwellers to claim their rights over their forest.

After its implementation, Vasundhara conducted regular meetings with villagers and government officials to sensitize them about the need for rights over forests. Then villagers started claiming their titles, and in 2010, two tribal populated villages, Brahmana Kumei and Dimeribadi under Ranpur Block, received community rights titles. 115 persons received individual forest rights. The widowed and single women-headed households were the major claimants of individual forest rights.

After the introduction of Forest Rights Amendments Rules 2012, a separate claim form and format of the title for CFR were added along with community rights. The organization provided knowledge and sensitized them about their resources. They started claiming recognition when they became aware of their rights over resources—around 70% of villagers who protect their forest applied for claims.

Many villagers are yet to claim their rights.

### **Recognizing CFR**

Dayanidhi Nayak, District Welfare Officer, Nayagarh, who was present at the title distribution, said, “This is the first step towards recognizing the long-standing claim of villagers who have been protecting the forest for generations. They were given the titles per FRA, which will encourage other villagers to protect the forest and claim their titles.” Dr. Poma Tudu, Collector of Nayagarh, said that before distributing titles, the villagers were briefed about their rights, what they could not do, and how to enhance their ongoing activities.

## References

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