

**TRENDS AND DIRECTIONS IN THE
IMPLEMENTATION OF THE
SCHEDULED TRIBES AND OTHER
TRADITIONAL FOREST DWELLERS
(RECOGNITION OF FOREST RIGHTS)
ACT 2006 AFTER TWELVE YEARS**

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Tata Institute of
Social Sciences

**Tata Institute of Social Sciences (TISS)
Mumbai**

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PREFACE

The faculty members and research scholars of Tata Institute of Social Sciences (TISS), Mumbai have been actively engaged in documenting and researching the nature, process and impact of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 across India. As part of ongoing work in the field of forest rights and governance, we have prepared a concise and comprehensive report distilling the emerging trends and directions in the implementation of Forest Rights Act in India. This report builds on the work that TISS has collaborated with Community Forest Rights-Learning Advocacy (CFR-LA) group at the national and state level-especially in Maharashtra in preparing the Promise and Performance Report on Forest Rights Act After Ten Years in 2016 and 2017 respectively.

This report comes at a time when forest dwellers, civil society groups, grassroots organisations and NGOs are increasingly expecting the political regimes to support the rights of communities with legitimate tenure to the land or resource in question across India. Assurance by political parties to review the rejected claims in the aftermath of the Supreme Court of India's order to evict the forest dwellers whose claims have been rejected has provided an impetus for forest dwellers to assert their rights over forest land and resources.

Several studies including TISS's earlier work in the state of Odisha, Maharashtra, Jharkhand and Chhattisgarh have documented the status of forest rights recognition and the reasons for ineffective implementation. This report, however, attempts to highlight and compare the nature and extent of implementation across states and how different states are placed in recognising forest rights claims and in addressing pending and rejected claims.

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Our friends and colleagues at the Tata Institute of Social Sciences followed the course of this work with great interest. We must especially mention the following. Prof. Shalini Bharat (Director, TISS), Prof. Amita Bhide (Dean, School of Habitat Studies), Prof. T Jayaraman (Chairperson, Centre for Science, Technology & Society), Prof. Bipin Jojo, Prof. Madhushree Sekher, Dr. Rekha Mammen, Prof. Manish Jha, Dr. Tejal Kanitkar, Dr. Unmesh Patnaik, Dr. Kamal Murari, Prof. R Ramkumar, Asavari Sharma, Gaibul Preet, Bikash Kumar Sahoo and Dhinesh Raj and students and colleagues of School of Habitat Studies. We are thankful to them. The errors and omissions that remain are ours alone.

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LIST OF ABBRIVIATIONS

CFR – Community Forest Rights

DLC – District Level Committee

FRA – Forest Rights Act

IFR – Individual Forest Right

LWE – Left Wing Extremism

MoTA – Ministry of Tribal Affairs

MPR – Monthly Progress Report

OTFD – Other Traditional Forest Dweller

PESA – Panchayat Extension to Scheduled Areas

RoR – Record of Rights

SDLC – Sub-Divisional Level Committee

ST – Scheduled Tribe

VSS – Vana Samrakshana Samithi

EXECUTIVE SUMMARY

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Rights) Act 2006, popularly known as Forest Rights Act (FRA) has come into force on 1st January 2008. However, the implementation of FRA has been very uneven across India. In this report, we discuss the trends and directions in the implementation of FRA with specific focus in Scheduled V states, Left Wing Extremism (LWE) affected states, rich forest cover states and tribal populated states.

Key Observations

- Recognised forest areas under both individual and community forest rights is only **15.29 %** of the potential forest area till 30th November 2018.
- Average recognised area for Individual Forest Right (IFR) across India is **2.35 acre**.
- Average recognised area for Community Forest Right (CFR) across India is **127.78 acre**.
- Andhra Pradesh tops the list in recognising average area for IFR i.e. **6.09 acre** and Himachal Pradesh stands at the bottom in recognising average area for IFR i.e. **0.05 acre**.
- Andhra Pradesh tops the list in recognising average area for CFR i.e. **815.84 acre** and West Bengal stands at the bottom in recognising average area for CFR i.e. **0.83 acre**.
- Odisha, Chhattisgarh, Madhya Pradesh, Tripura and Maharashtra are the top five IFR title recognised states and these five states constitute **70.62 %** of total recognised IFR claims and **70.07 %** of recognised IFR areas in the country.
- Madhya Pradesh Chhattisgarh, Maharashtra, Odisha, and Gujarat are the top five CFR title recognised states and also constitute **87.44 %** of total recognised CFR claims and **80.10 %** of recognised CFR areas in the country.
- Chhattisgarh, Madhya Pradesh, Maharashtra, Karnataka and Odisha are the top five states with highest number of IFR rejected claims and constitute **71.50 %** of total rejected IFR claims.
- Madhya Pradesh, West Bengal, Chhattisgarh, Karnataka and Andhra Pradesh are the top five states with highest number of CFR rejected claims and constitute **76.53 %** of total rejected CFR claims.
- Assam, Karnataka, Odisha, Gujarat and Maharashtra are the top five states with highest number of IFR pending claims and constitute **76.56 %** of total pending IFR claims.
- Odisha, Chhattisgarh, Assam, Maharashtra and Madhya Pradesh are the top five states with highest number of CFR pending claims and constitute **73.62%** of total pending CFR claims.

- Scheduled V (PESA) States constitute **84.33%** of the total recognised forest right claims and **94.72%** of recognised forest areas respectively.
- Left Wing Extremism States (LWE) constitute **81.08 %** of the total recognised forest right claims and **85.86 %** of recognised forest areas respectively.

The analysis of available database on forest rights implementation across India reveals that the level of implementation is uneven and inconsistent. Specifically, with reference to **large number of rejections and pending of forest rights claims**, we have observed the following major concerns—

1. The claimants are not informed or given explanation in writing the reasons for rejecting their claims by the Sub-Divisional Level Committee (SDLC) and District Level Committee (DLC) authorities.
2. There is no serious effort at the SDLC and DLC level to avail the required documents and information to the Gram Sabha to file their claims.
3. Regular meetings of SDLC and DLC are not taking place to expedite the process of pending claims.
4. SDLC members insist upon a particular type of evidence to process the claims.
5. Claims of Other Traditional Forest Dwellers (OTFDs) are arbitrarily rejected or not processed at the SDLC and DLC level. The provisions for the recognition of OTFDs rights are misinterpreted and misunderstood by the implementing agencies. Discussion with Gram Sabhas and forest rights claimants in the above states reveal that the SDLC members insist upon that the claimant should be 75 years old and, in many cases, it is also found that the OTFDs claims are rejected because the claimant was not occupying the land for 75 years.
6. There has been no attempt to prepare Record of Rights (RoR) by the district administration in the post-recognition of forest rights claims.

These and several other reasons have not been discussed and brought to the notice of Supreme Court in the ongoing petition challenging the claims of forest dwellers. The field level investigation by us reveals that there is no consolidated database on how many rejected claims have gone for appeal and how many claims have been rejected after appeal. In the light of above problems in the implementation of forest rights act, it is very important to revisit the current mechanisms and institutional arrangements in addressing the increasing number of rejected and pending claims. More importantly, rejection of forest right claims without following the due process established under FRA will be a great injustice to millions of forest dwellers.

SECTION – I

1. Introduction

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, popularly known as Forest Rights Act (FRA), recognises and vests a number of rights with forest-dwelling communities, including rights over forest land for habitation and cultivation, right of ownership, access to collect, use, and dispose of minor forest produce, right to govern and manage any community forest resource which they have been traditionally conserving for sustainable use. The FRA recognises historical injustice meted out to scheduled tribe and other traditional forest dwellers and sought to restore the rights of forest dwelling communities over land and the governance & management of forests through decentralisation of power to Gram Sabha¹. Several studies have pointed out that the Forest Rights Act has the potential to restore rights of forest dwellers over at least 40 million hectares or 100 million acres of forest land in 170,000 villages i.e. one fourth of the villages across the country. Importantly, at least 150 million people, including 90 million tribal people are estimated to be benefited from recognition of forest rights under FRA (RRI et.al., 2015). Similarly, FRA has the potential to democratise forest governance by recognising rights of local communities to protect and conserve forests; ensuring livelihood security; securing gender justice and meeting sustainable development goals of eliminating poverty and achieving ecological sustainability. Also, FRA provides the opportunity to address Left-Wing Extremism (LWE) in 106 districts across 10 states in India (CFR-LA Report, 2016).

While the Forest Rights Act came into force on 1st January 2008, the scale of its implementation speeded up only in the post-2009 period. Over the last one decade, the implementation of the FRA has not been effective as only 15 percent of the total potential forest area has been recognised under forest rights. Also, over these years, there is a large-scale variation in implementation of FRA in all the major potential states. In this report, we discuss the trends and directions in the implementation of forest rights (both IFR and CFR) with specific focus in Scheduled V states, Left Wing Extremism (LWE) affected states, rich forest cover states and tribal populated states.

¹The Act is extended to all states of India except the state of Jammu & Kashmir. For more details, see Monthly Progress Report on Forest Rights Implementation, Ministry of Tribal Affairs, Government of India, Available at this link: <https://tribal.nic.in/MPRnAddit.aspx>

1.1 Objective

To highlight the trends and directions in the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in general and its status in Scheduled V states, Left Wing Extremism (LWE) affected states, rich forest cover states and predominantly tribal populated states in particular.

1.2 Methodology

This report is largely based on secondary sources. The recognition of forest rights claim database across India was obtained from the 'Monthly Progress Report (MPR) on Implementation of FRA' released by Ministry of Tribal Affairs (MoTA), Government of India from January 2012 to November 2018 (the latest monthly status report released by MoTA) and entered in a separate excel sheet. The information regarding the forest cover in the respective state was retrieved from the Forest Survey of India (FSI) 2017 report. Finally, the information regarding Scheduled Tribes (ST) population of the respective state was obtained from the state specific information on ST population available on the website of MoTA website².

1.2.1 Data Entry Process

Four major categories of the MPR database which include: forest right claims received (IFR & CFR), forest right claims distributed or recognised (IFR & CFR), extent of forest land recognised (IFR & CFR) and total forest right claims rejected (IFR+CFR) was recorded for each state from the MPR. Also, we have incorporated another column in the data sheet to understand the status of pending claims³ for each state. The number of pending forest right claims was arrived by deducting the number of claims recognised and number of claims rejected from the number of forest right claims received.

1.2.2 Data Analysis

The analysis of this report is done by using the data on implementation of FRA from January 2012 to November 2018. Several reasons explain this decision. First, FRA came into force in January 2008 but most of the potential states released their FRA implementation status report only after 2009. Second, month wise progress report was not available from 2009-2012 in the website of MoTA. The previous month MPR database on FRA is removed from the MoTA website once the data is uploaded for the current month.

² For details see, <https://tribal.nic.in/ST/Statistics8518.pdf>

³ The MPRs released by MoTA does not provide any such data with respect to forest right claims pending in each state

1.3 Limitation in Data Collection and Analysis

There are several limitations in accessing and analysing the recognised forest rights claims across India. First, the MPR on FRA implementation released by MoTA is not available for each month i.e. all the 83 months between the period from January 2012 to November 2018 (latest MPR released by MoTA in November 2018) for analysis purpose. Therefore, analysis is done using the MPR data of the available months i.e. MPRs of 56 months between the period from January 2012 to November 2018. Second, out of all the states and union territories where FRA has been extended only twenty states are releasing their monthly progress report as per the MPR of November 2018. As per the available MPR from January 2012 to April 2015 only sixteen states were releasing their FRA implementation data. In May 2015 the state of Telangana released its FRA implementation data for the first time. Similarly, in July 2016 the state of Uttarakhand and Tamil Nadu released their FRA implementation data. In October 2016, the state of Goa became the 20th state to release its data about FRA implementation. Third, segregated data about IFR & CFR titles recognised is not available for each state and each available MPR between the period January 2012 to November 2018. Therefore, yearly trend analysis of IFR and CFR could not be done in this report. Fourth, out of all the states, Assam and Bihar do not provide information about the extent of forest land recognised in their respective state in the MPR. Likewise, Kerala and Tamil Nadu do not provide information about the extent of forest land recognised against their total recognised CFR titles. Last and the most important limitation is analysis of different types of rights recognised under FRA. Though FRA envisages different types of rights for the forest dwellers, the MPR database has categorised all types of recognised rights into two types- Individual Forest Rights and Community Forest Rights. In this connection, it is not possible to give segregated information about all types of rights that are recognised at the state level. In other words, it will not be feasible to figure out how many acres of forest land are for habitation rights and how many acres of forest land for cultivation purpose under individual forest rights. Similarly, how many acres of forest land for community forest rights, how many acres of forest land for community resource and management rights and how many acres of forest land for development rights cannot be analysed due to asymmetric information and database.

While MoTA MPRs are great sources of information for scholars and interested groups in the field of forest rights, they should not be used without caution. Though it might seem that the statistics entered in the MPR database would be relatively straight forward, the reality is far from it. First of all, it's important to remember that MPR database is consolidated after it receives from the nodal agency of each state which are compiled by different institutions at different levels ranging from

Taluka to District level by officers without adequate knowledge about the process and format to follow in sending the information. In the process, many mistakes are made by the officers. It is found that there are several gaps, loopholes, and mistakes in the entering of forest rights claim and recognised database. Civil Society members and forest rights groups are sceptical about the database and many believe that the available information is not authentic. For example, the available data for the total forest land recognised (IFR+CFR) in Maharashtra as on 31st October 2018 shows 73,36,192.71 acres, whereas the monthly progress report of MoTA for November, 2018 shows that the total forest land recognised (IFR+CFR) in Maharashtra as on 30th Number 2018 is 29,68,856.44 acres i.e. a decrease of 43,67,336.27 acres of forest land. Such variation without explanation in the database has also been observed in case of Goa, Andhra Pradesh, Jharkhand and in many other states. It is, therefore, advisable to cross check the MPR database with FRA status database available at the District level.

1.4 Outline of the Report

This report is structured into ten sections. Section I discussed the objective, methodology and limitations of the study. Section II gives an overview of the FRA implementation at the national level, followed by discussion on the trends and directions of FRA implementation in the top five best performing states in Section III. State level status of FRA implementation is discussed in Section IV. The nature and patterns of FRA implementation in Scheduled V states, Left Wing Extremism (LWE) affected states, rich forest cover states and tribal populated states are discussed in Section V, VI, VII & VIII respectively. Section IX discussed the implementation of FRA in top states as per average forest area recognised for IFR and CFR respectively. The implementation of FRA in top states as per rejection and pending of forest right claims are discussed in Section X and XI respectively. Finally, Section XII summarizes the discussion.

SECTION – II: Status and Trend of FRA Implementation in India as on 30th November 2018



Table-1: Status of Implementation of FRA in India as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Extent of Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	40,76,606	1,48,345	18,22,161	72,064	18,92,893	46,338	3,61,552	29,943	42,81,379.27	92,08,357.68
Total	42,24,951		18,94,225		19,39,231		3,91,495		134,89,735.95	

Source: Monthly Progress Report for November 2018. Ministry of Tribal Affairs, Government of India (GoI)

Figure-1: Status of FRA Implementation in India Against the Total Forest Right Claims as on 30th November 2018

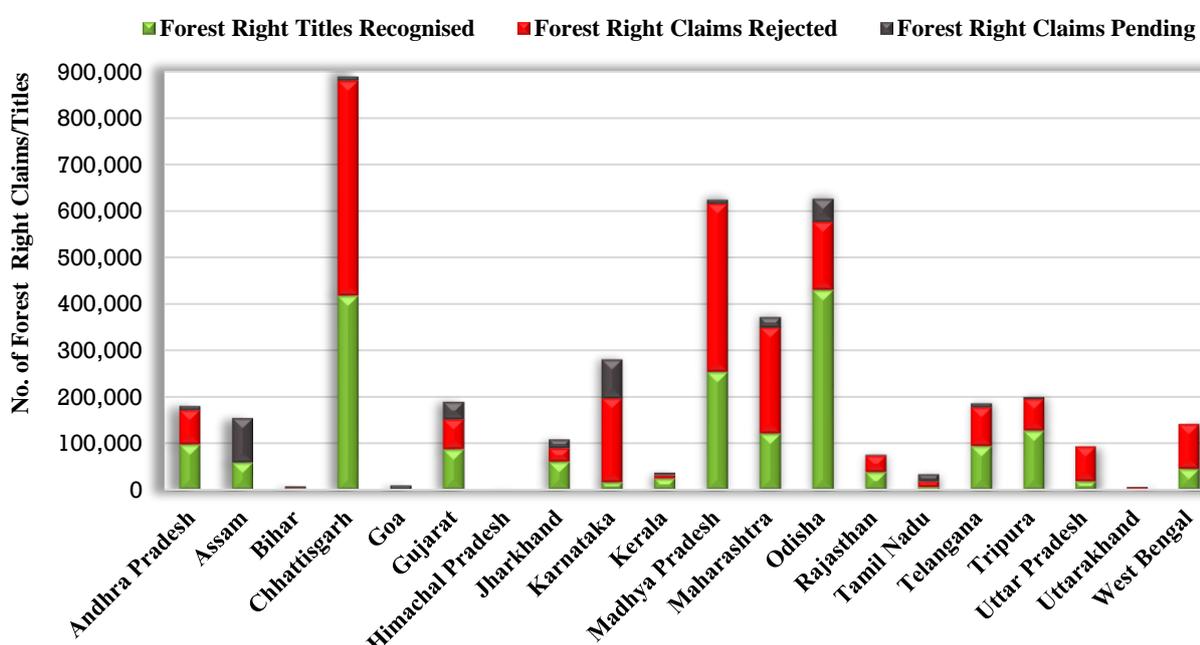


Figure-2: FRA Implementation Against Total Forest Right Claims in India as on 30th November 2018

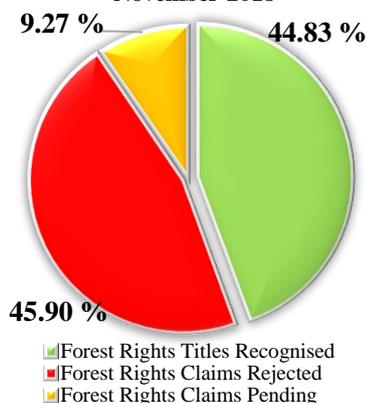


Figure-3: Forest Land Recognised and Remaining Potential Forest Land under FRA as on 30th November 2018

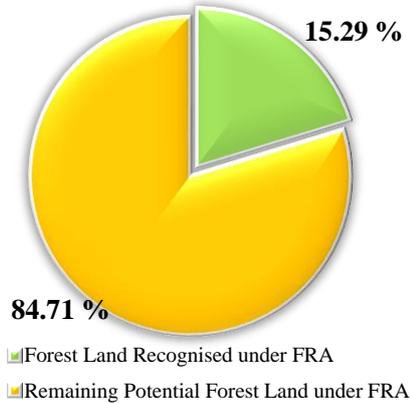


Figure-4: Forest Land Recognised for IFR & CFR, Out of The Total Forest Land Recognised under FRA in India as on 30th November 2018

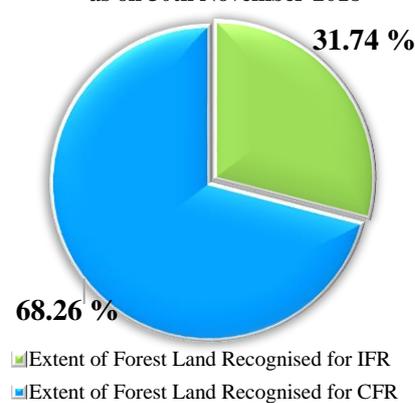


Table – 2: Status of Forest Land Recognised Against Total Minimum Potential Forest Land under FRA in India as on 30th November 2018

Sl. No.	Name of the State	Extent of Potential Forest Land under FRA (IFR+CFR) (in Acre) ⁴	Extent of Recognised Forest Land under FRA (IFR+CFR) (in Acre) ⁵	Percentage (%) of Recognised Forest Land against Potential Forest Land under FRA
1	Andhra Pradesh	29,64,000	17,09,403.20	57.67 ⁶
2	Assam	5,78,605	Not Available	Not Available
3	Bihar	8,24,940	Not Available	Not Available
4	Chhattisgarh	81,97,930	26,73,460.82	32.61
5	Goa	2,07,348	86.86	0.04
6	Gujarat	32,48,050	12,90,923.10	39.74
7	Himachal Pradesh	32,11,000	4,676.52	0.15
8	Jharkhand	52,36,400	2,02,700.03	3.87
9	Karnataka	59,86,203	48,970.26	0.82
10	Kerala	22,31,712	33,018.12	1.48
11	Madhya Pradesh	165,17,853	21,43,087.84	12.97
12	Maharashtra	122,82,159	29,68,856.44	24.17
13	Odisha	63,72,600	9,69,500.92	15.21
14	Rajasthan	63,55,811	60,723.90	0.96
15	Tamil Nadu	19,21,537	8,607.26	0.45
16	Telangana	37,04,597	7,54,339.00	20.36 ⁷
17	Tripura	13,19,622	4,60,140.33	34.87
18	Uttar Pradesh	20,53,202	1,39,656.06	6.80
19	Uttarakhand	35,12,678	0	0
20	West Bengal	14,64,127	21,586.29	1.47
Total		881,90,374	134,89,735.95	15.29

Note: For this report, we extracted the potential forest land to be recognised under FRA from the ‘CFR-LA, 2016 report on promise and performance of forest right act after ten years of its enactment’. To analyse the recognised forest land against the potential forest land to be recognised under FRA, we have used the cumulative figures for potential IFR and potential CFR land as the total potential forest land to be recognised under FRA for each state. Primarily because, our deliberation with different stakeholders associated with FRA implementation in several states, namely Maharashtra, Odisha, Jharkhand, Chhattisgarh and Madhya

⁴ Extracted from Promise and Performance Report (CFR-LA, 2016). For details See,

http://www.cfrra.org.in/uploads_acrvr/X36BEPromise%20and%20Performance%20National%20Report.pdf, page-32

⁵ Monthly Progress Report for November 2018, MoTA, GoI. See, <https://tribal.nic.in/FRA/data/MPRNov2018.pdf>

⁶ Most of the CFRs recognised in Andhra Pradesh over 11,20,962.18 acre of forest land appears to be violating the FRA provisions as they have been recognised in the name of Vana Smarakshana Samiti (VSS) rather than Gram Sabha. See, http://www.cfrra.org.in/uploads_acrvr/F4QQ2Andhra%20Pradesh_Promise%20and%20Performance.pdf, page-9

⁷ Most of the CFRs recognised in Telangana over 4,54,055 acre of forest land appears to be violating the FRA provisions as they have been recognised in the name of VSS rather than Gram Sabha.

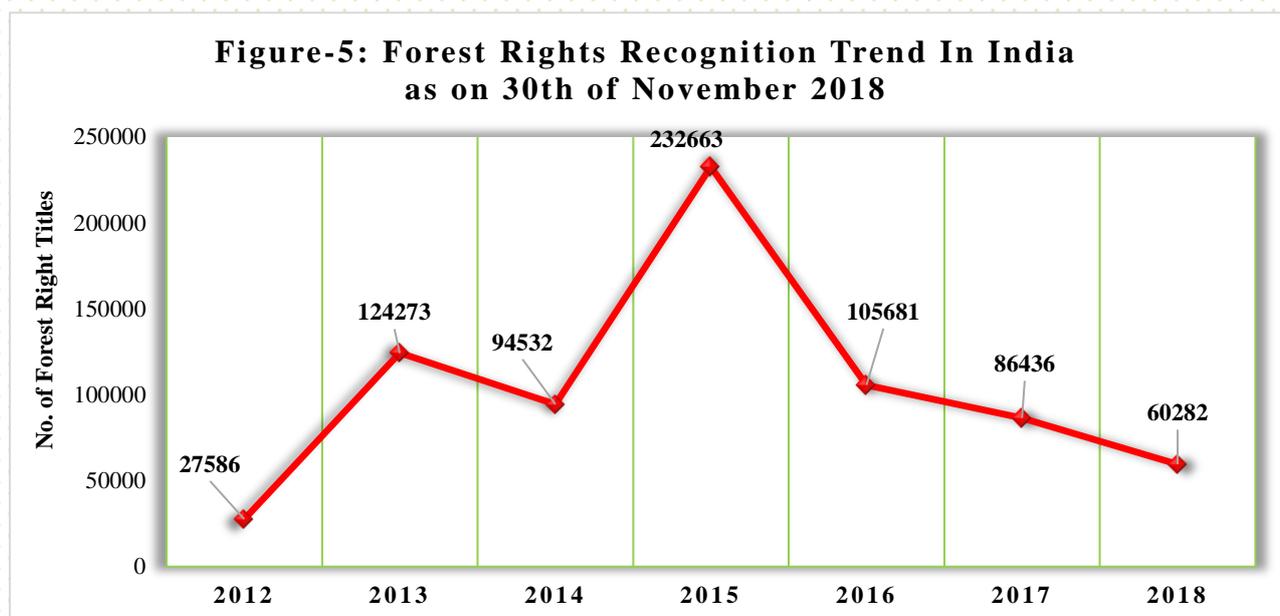
See, http://www.cfrra.org.in/uploads_acrvr/AR3ZOTelangana%20Report-Final-07-Dec-16.pdf, page-8

Pradesh during the last four years reveals that the recognised IFR land under FRA is not demarcated separately from the recognised CFR land of the village. In other words, almost in every occasion the IFR land of the village has been calculated as part of the CFR land. There may be some variation with respect to this in other parts of the country. However, invariably from our discussions with Gram Sabha members and visit to several villages in Odisha, Maharashtra, Jharkhand and Chhattisgarh, it is found that IFR land has not been demarcated separately from the CFR land of the village and therefore, IFR land remains part of the recognised CFR land of the village. Some of these villages include: Mendha Lekha, Pachgaon, Dhamditola, Pejwadi, Diwanpada, Durgapur, Karpatwadi, Shirwadi, Shisewadi, Bhangwadi in Maharashtra; Jamguda, Khasiguda, Jamjharan, Kalipur, Jamguda Bahal, Kastura Padar, and Kanakpur in Odisha; Junwani, Chargaon, Kamepur, Mohanda, Bainsamuda, Bilhma, Jarandi, Teerang, Kodkel and Kardana in Chhattisgarh; Chota Savaikundi, Bada Savaikundi, Dumartari, Chandana, Tilabad, Gahmaria, Adwara, Budhachach, Chalkarikala, Alkarikala, and Dhahua in Jharkhand.

Overall Trends and Directions: Key Observations

Sl. No	Highlights	Descriptions	
1	Recognised forest area against the minimum potential forest area under FRA	15.29 %	
2	Percentage of IFR and CFR area out of the total recognised forest area under FRA	IFR	31.74 %
		CFR	68.26 %
3	Average recognised forest area for IFR and CFR in India	IFR	2.35 acre
		CFR	127.78 acre
4	Out of the total forest right claims, rejected claims are more than the recognised claims	Recognised Claims	44.83 %
		Rejected Claims	45.90 %
5	Forest right claims pending against the total forest right claims under FRA	Pending Claims	9.27 %
6	Best Performing and Laggard States in terms of forest right claims	Best Performing State	Laggard State
		Recognised	Odisha (68.51 %) Uttarakhand (0 %)
		Rejected	Assam and Himachal Pradesh (0 %) Uttar Pradesh (80.03 %)
		Pending	Uttar Pradesh (0.15 %) Goa (99.29 %)
7	Best Performing and Laggard States in recognising average forest area for IFR and CFR	Best Performing State	Laggard State
		IFR	Andhra Pradesh (6.09 acre) Himachal Pradesh (0.05 acre)
		CFR	Andhra Pradesh (815.84 acre) West Bengal (0.83 acre)
8	Odisha, Chhattisgarh, Madhya Pradesh, Tripura and Maharashtra are the top five states in recognising Individual Forest Rights (IFR) and also constitute 70.62 % of total recognised IFR claims and 70.07 % of recognised IFR areas in the country.		
9	Madhya Pradesh Chhattisgarh, Maharashtra, Odisha, and Gujarat are the top five states in recognising Community Forest Rights (CFR) and also constitute 87.44 % of total recognised CFR claims and 80.10 % of recognised CFR areas in the country.		
10	Chhattisgarh, Madhya Pradesh, Maharashtra, Karnataka and Odisha are the top five states with highest number of rejected IFR claims and constitute 71.50 % of total rejected IFR claims.		
11	Madhya Pradesh, West Bengal, Chhattisgarh, Karnataka and Andhra Pradesh are the top five states with highest number of rejected CFR claims and constitute 76.53 % of total rejected CFR claims.		
12	Scheduled V (PESA) States constitute 84.33% of the total recognised forest right claims and 94.72% of recognised forest areas respectively.		
13	Left Wing Extremism States (LWE) constitute 81.08 % of the total recognised forest right claims and 85.86 % of recognised forest areas respectively.		

Figure-5: Forest Rights Recognition Trend In India as on 30th of November 2018



Between January 2008 to January 2012 a total of 12,51,490 titles (IFR & CFR) were recognised. The above analysis of FRA implementation data from 2012-2018 reveals that recognition of forest rights has slowed down dramatically after witnessing a stunning increase during the national general election year (June 2013 – May 2014) and during the subsequent year (June 2014 – May 2015). A total of 3,47,383 forest right titles were recognised during these two years, which constitutes 55.03 per cent of the total titles recognised between June 2012 to November 2018. Importantly, nine⁸ out of the 17 states (which released their MPR during this period) also held their state legislative election during these two years (from May 2013 to May 2015) in addition to the national general election in May 2014. This establishes how title recognition is prioritised when election is around the corner, though it cannot be the sole factor to impact the voting behaviour of forest dwellers. For example, Maharashtra recognised highest number of titles during the general election to state assembly held in October 2014 but the ruling alliance of Congress and National Congress Party was defeated in rural areas, especially in Vidarbha region where highest number of titles were distributed. Similarly, Tripura recognised highest number of forest rights claims one year before the election but the Left Front government lost miserably in the election to state assembly in February 2018. Earlier studies by TISS (2017) in Jharkhand, Chhattisgarh, Maharashtra and Odisha also reveal that the presence or absence of strong facilitators or forest rights group plays an important role in aiding or impeding the recognition of forest rights claims.

⁸ Andhra Pradesh, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Karnataka, Odisha, Rajasthan and Telangana held their state legislative elections between the two-year period from May 2013 to May 2015.

SECTION – III: Trends in the Implementation of FRA in Top Five States

Table – 3: Status of FRA Implementation in the Top Five States (as per IFR Title Recognition) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Tripura	200358	277	127029	55	68388	222	4941	0	460049.16	91.16
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Total	27,11,151		13,46,520		12,67,678		96,953		92,15,046.35	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the Top Five states (as per IFR recognition) the highest average recognised IFR area is in the state of Tripura i.e. 3.62 acre & lowest average recognised IFR area is in the state of Odisha i.e. 1.48 acre.

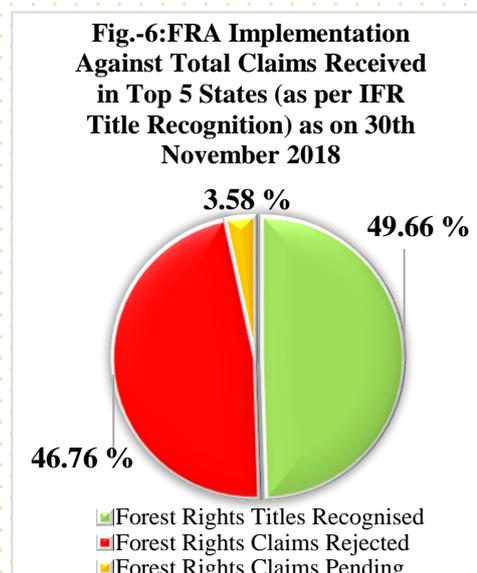


Fig.-7:FRA Implementation In Top 5 States (As Per IFR Title Recognition) Against FRA Implementation in India as on 30th November 2018

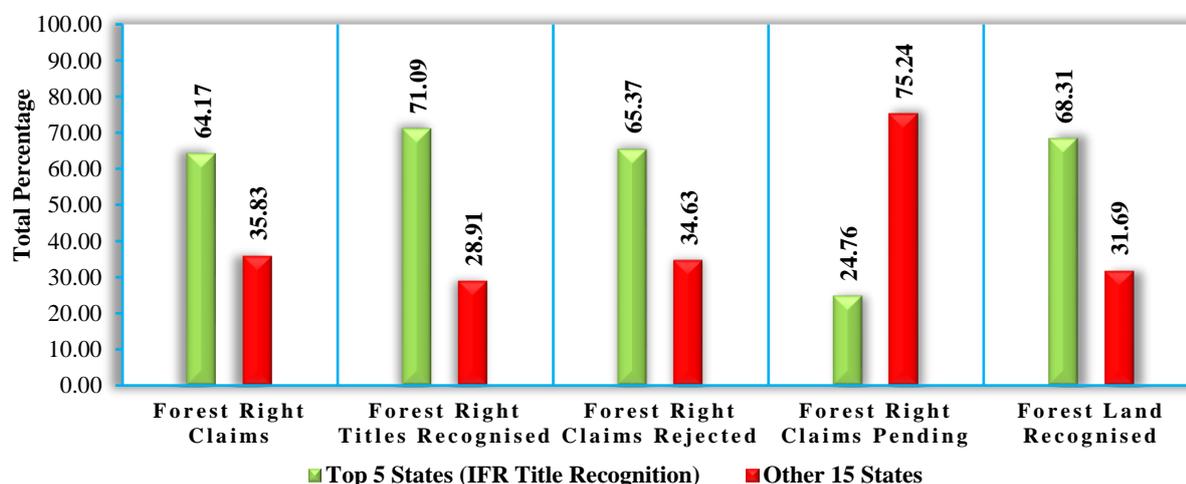


Table – 4: Status of FRA Implementation in the Top Five States (as per CFR Title Recognition) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Gujarat	182869	7187	83699	3516	62460	2309	36710	1362	129571.61	1161351.49
Total	27,00,572		13,06,651		12,63,837		1,30,084		100,45,829.12	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the Top Five states (as per IFR recognition) the highest average recognised CFR area is in the state of Maharashtra i.e. 391.16 acre and lowest average recognised CFR area is in the state of Madhya Pradesh i.e. 47.69 acre.

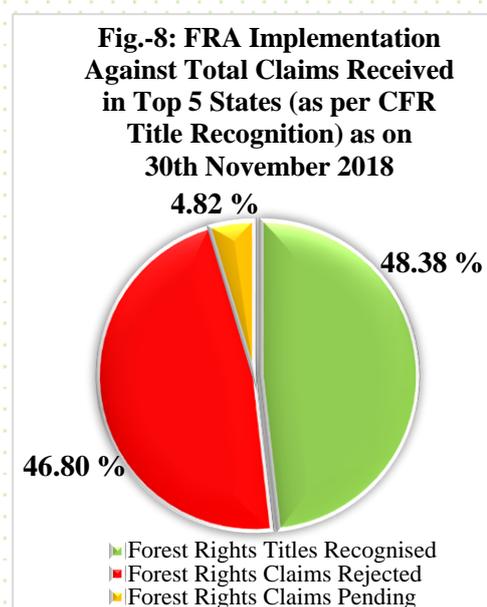
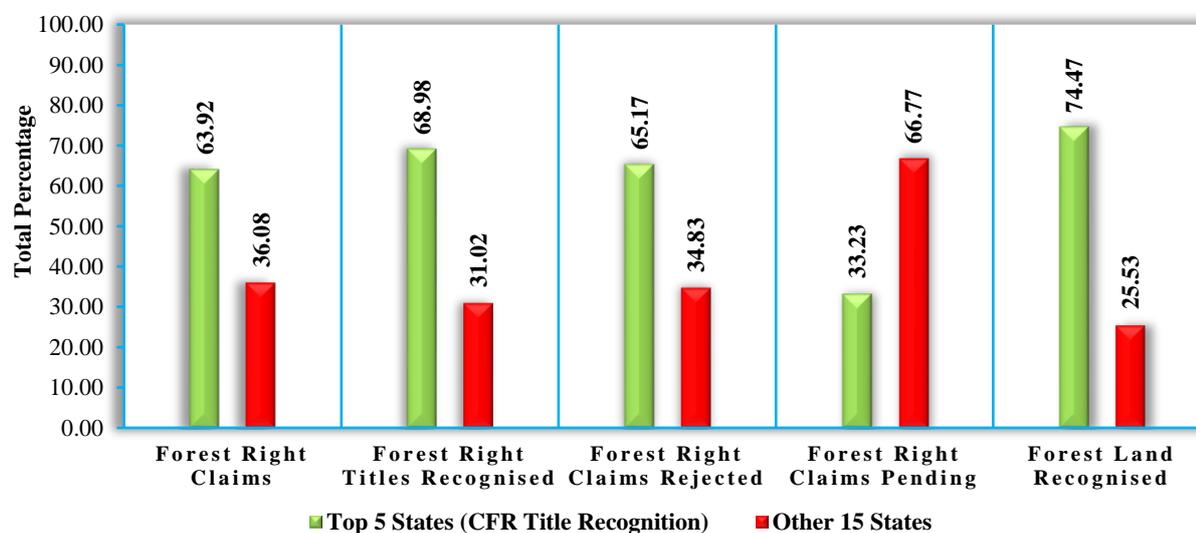


Figure-9: FRA Implementation In Top 5 States (As Per CFR Title Recognition) Against FRA Implementation in India as on 30th November 2018



SECTION – IV: State-Wise Status and Trend of Implementation of FRA

1. Table-5: Andhra Pradesh- FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR ⁹	IFR	CFR	IFR	CFR	IFR	CFR ⁹
	1,77,446	4,062	96,675	1,374	73,469	2,458	7,302	230	5,88,441.02	11,20,962.18
Total	1,81,508		98,049		75,927		7,532		17,09,403.20	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **6.09 acre**
- Average recognised CFR land – **815.84 acre**
- Percentage of potential forest area recognised – **57.67 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **54.02 %**
 - Forest right claims rejected – **41.83 %**
 - Forest right claims pending – **4.15 %**

Figure-10: Forest Right Titles Recognition Trend in Andhra Pradesh as on 30th November 2018

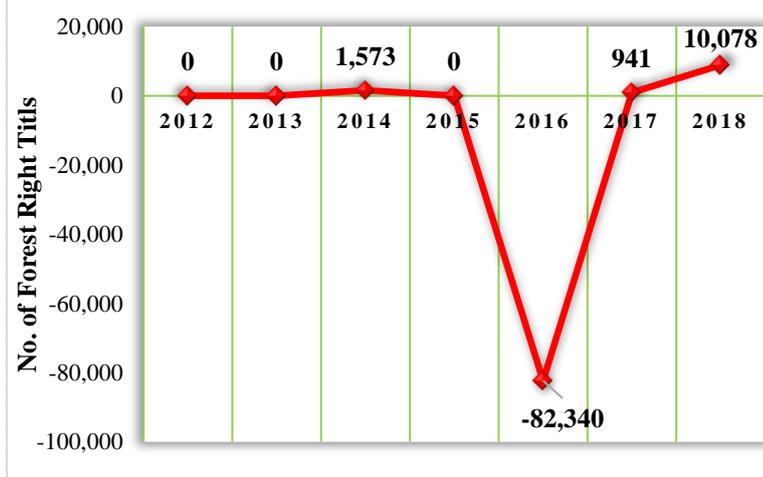
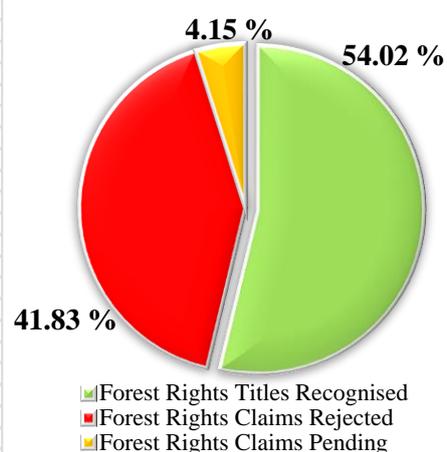


Fig.-11: FRA Implementation in Andhra Pradesh as on 30th November 2018



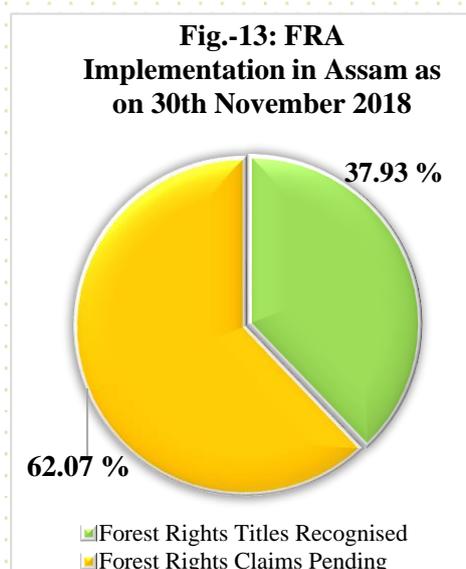
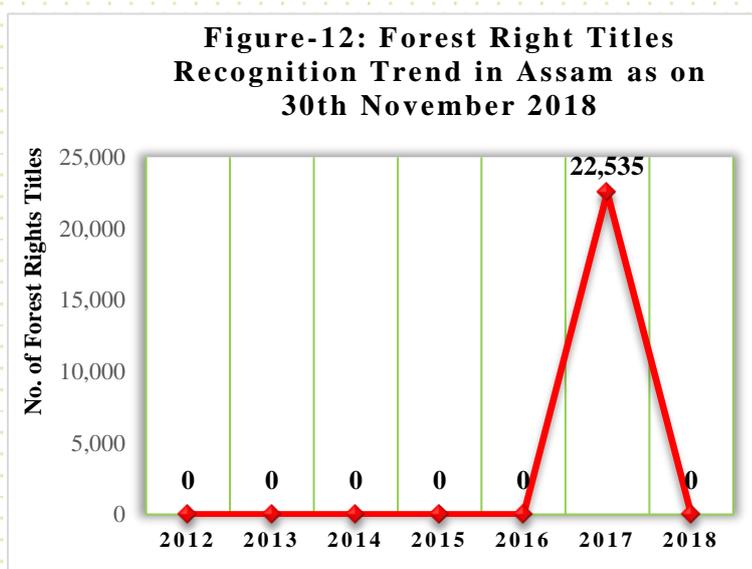
⁹ In 2008 the Government of undivided Andhra Pradesh issued guidelines (G.O.Ms. No. 102) to implement the FRA, 2006 which allowed the Vana Samrakshana Samithi's (VSSs) to claim forest rights within their operational area. This order was further amended (Ms. No. 168) in 2008 allowing VSS to claim CFR which was in violation of the FRA. The Ministry of Tribal Affairs (MoTA), Government of India, held that the grant of CFR rights titles to VSSs is illegal and directed the Government of AP to withdraw them (MoTA, GoI circular No 23011/11/2013/FRA). However, the MoTA order has not been complied with and the CFR rights titles granted to the VSSs have not been withdrawn. See, http://www.cfrra.org.in/uploads/acrvr/F4QQ2Andhra%20Pradesh_Promise%20and%20Performance.pdf, page-9

2. Table-6: Assam – FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		1,48,965	6,046	57,325	1,477	0	0	91,640	4,569	NA
Total	155,011		58,802		0		96,209		NA	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – NA
- Average recognised CFR land – NA
- Percentage of potential forest area recognised – NA
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **37.93 %**
 - Forest right claims rejected – **0 %**
 - Forest right claims pending – **62.07 %**

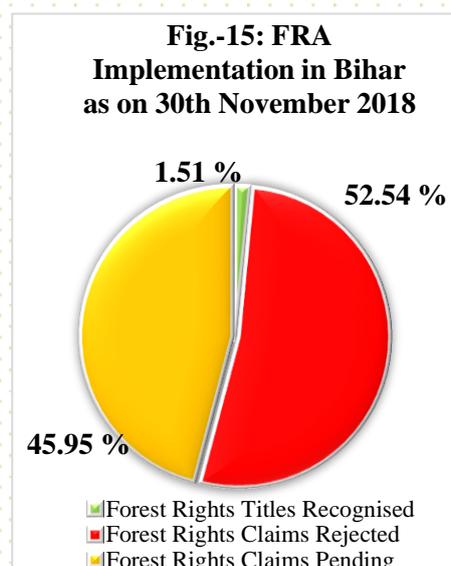
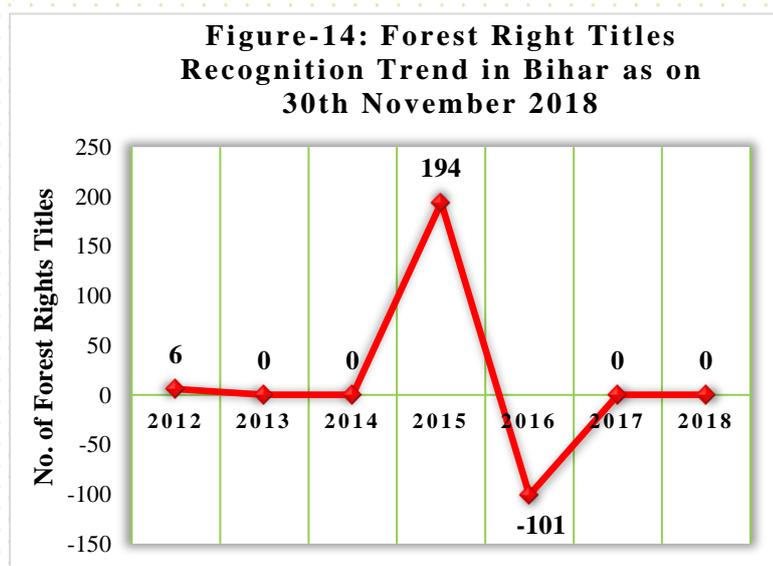


3. Table-7: Bihar - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		8,022	0	121	0	4,215	0	3,686	0	NA
Total	8,022		121		4,215		3,686		NA	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – NA
- Average recognised CFR land – NA
- Percentage of potential forest area recognised – NA
- Out of Total Forest Right Claims:
 - Forest right titles recognised – 1.51 %
 - Forest right claims rejected – 52.54 %
 - Forest right claims pending – 45.95 %

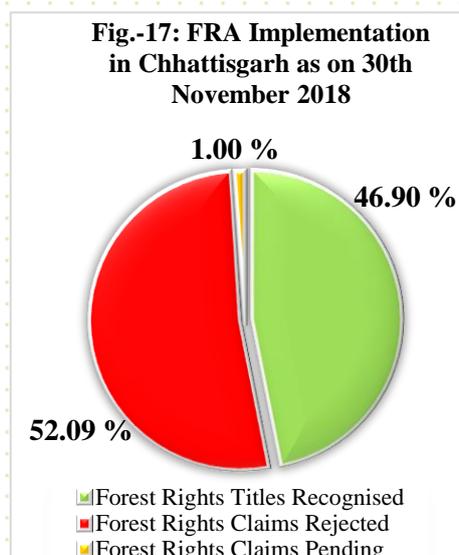
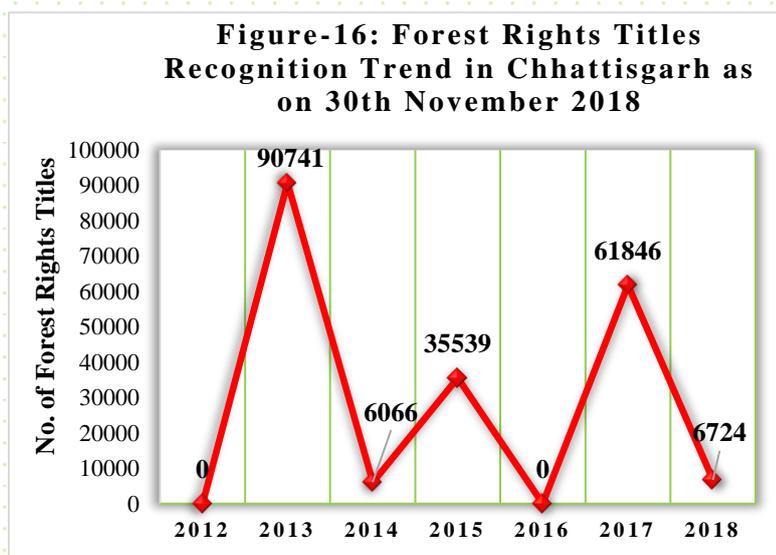


4. Table-8: Chhattisgarh - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		8,56,150	31,515	3,98,181	18,178	4,55,131	7,272	2,838	6,065	8,36,502.08
Total	8,87,665		4,16,359		4,62,403		8,903		26,73,460.82	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **2.10 acre**
- Average recognised CFR land – **101.05 acre**
- Percentage of potential forest area recognised – **32.61 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **46.90 %**
 - Forest right claims rejected – **52.09 %**
 - Forest right claims pending – **1 %**



5. Table-9: Goa - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		9,758	378	17	8	46	1	9,695	369	76.60
Total	10,136		25		47		10,064		86.86	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **4.51 acre**
- Average recognised CFR land – **1.28 acre**
- Percentage of potential forest area recognised – **0.04 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **0.25 %**
 - Forest right claims rejected – **0.46 %**
 - Forest right claims pending – **99.29 %**

Figure-18: Forest Right Titles Recognition Trend in Goa as on 30th November 2018

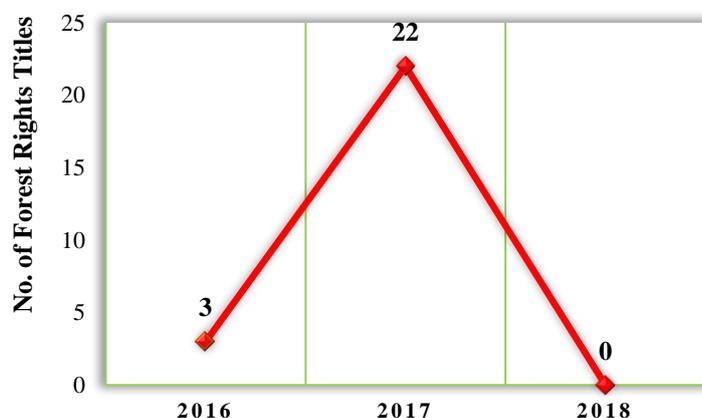
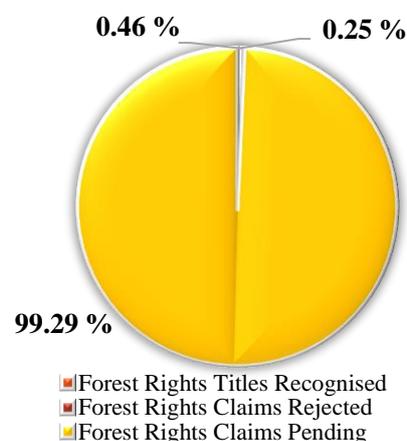


Fig.-19: FRA Implementation in Goa as on 30th November 2018

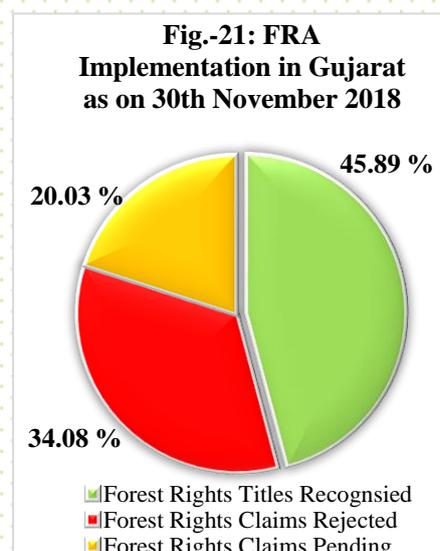
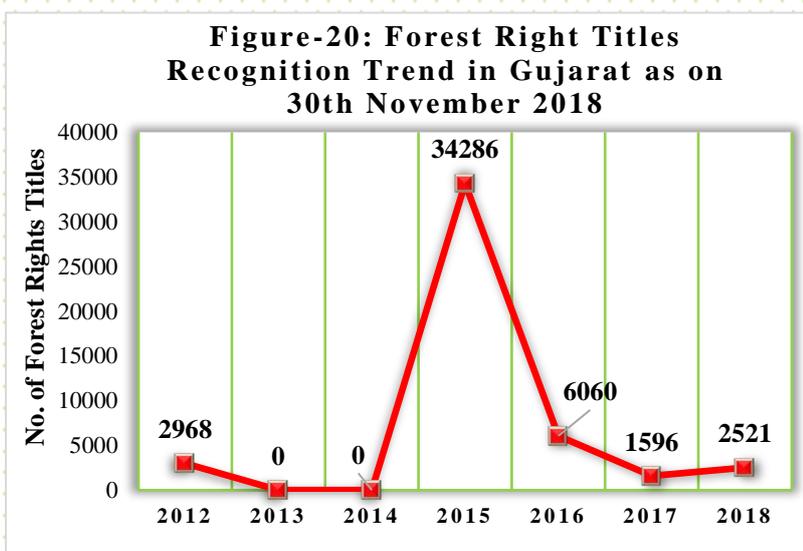


6. Table-10: Gujarat - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		1,82,869	7,187	83,699	3,516	62,460	2,309	36,710	1,362	1,29,571.61
Total	1,90,056		87,215		64,769		38,072		12,90,923.10	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.55 acre**
- Average recognised CFR land – **330.30 acre**
- Percentage of potential forest area recognised – **39.74 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **45.89 %**
 - Forest right claims rejected – **34.08 %**
 - Forest right claims pending – **20.03 %**

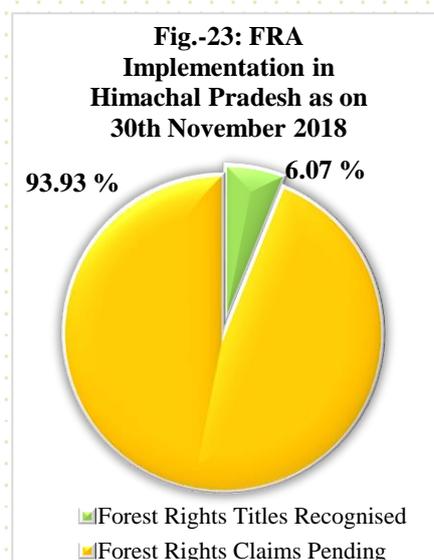
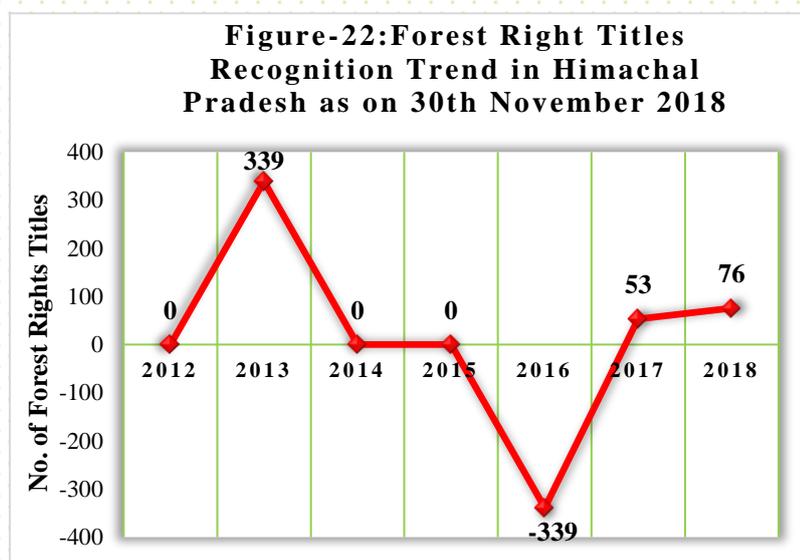


7. Table-11: Himachal Pradesh - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		2,071	170	129	7	0	0	1,942	163	5.96
Total	2,241		136		0		2,105		4,676.52	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **0.05 acre**
- Average recognised CFR land – **667.22 acre**
- Percentage of potential forest area recognised – **0.15 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **6.07 %**
 - Forest right claims rejected – **0 %**
 - Forest right claims pending – **93.93 %**

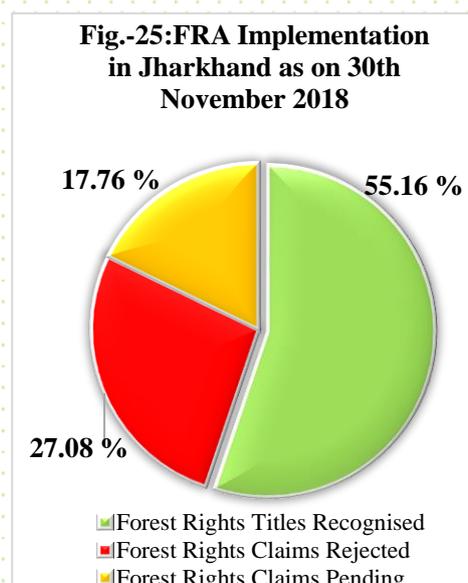
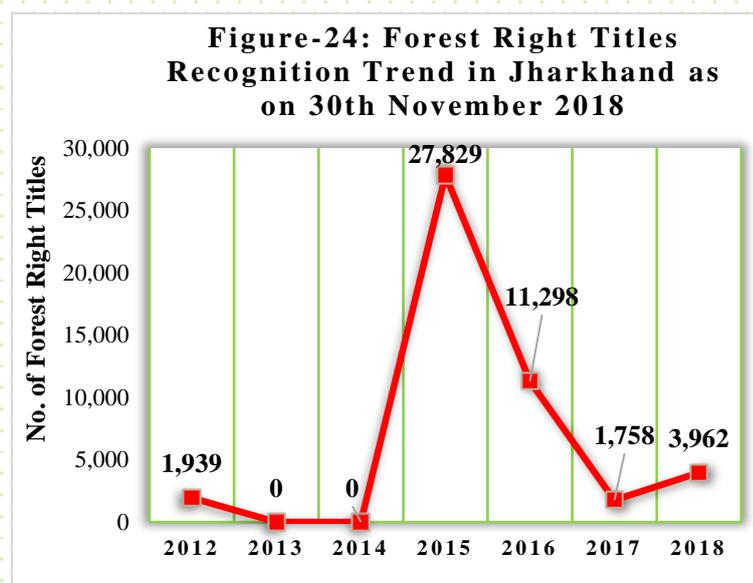


8. Table-12: Jharkhand - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acres)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	1,05,363	3,667	58,053	2,090	27,784	1,737	NA ¹⁰	NA	1,02,918.07	99,781.96
Total	1,09,030		60,143		29,521		19,366		2,02,700.03	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.77 acre**
- Average recognised CFR land – **47.74 acre**
- Percentage of potential forest area recognised – **3.87 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **55.16 %**
 - Forest right claims rejected – **27.08 %**
 - Forest right claims pending – **17.76 %**



¹⁰ The status of pending claim for IFR and CFR is not calculated as the available information in the latest MPR report of November 2018 appears to be incorrect. However, as we have calculated in case of other states, we have employed the same logic to arrive at the total pending claims.

9. Table- 13: **Karnataka** - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	2,75,446	5,903	14,667	1,406	1,76,540	4,416	84,239	81	20,813.51	28,155.75
Total	2,81,349		16,073		1,80,956		84,320		48,970.26	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.42 acre**
- Average recognised CFR land – **20.03 acre**
- Percentage of potential forest area recognised – **0.82 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **5.71 %**
 - Forest right claims rejected – **64.32 %**
 - Forest right claims pending – **29.97 %**

Figure-26: Forest Right Titles Recognition Trend in Karnataka as on 30th November 2018

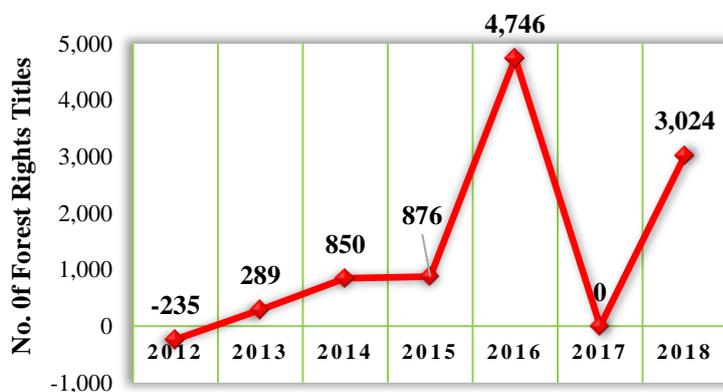
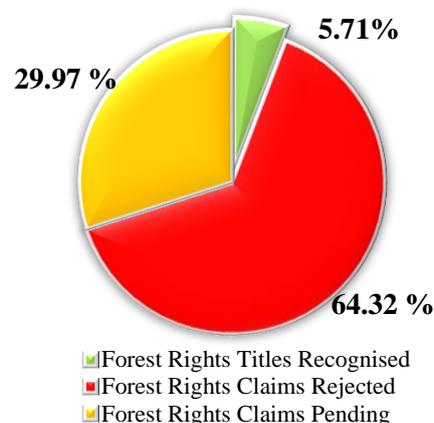


Fig.-27: FRA Implementation in Karnataka as on 30th November 2018

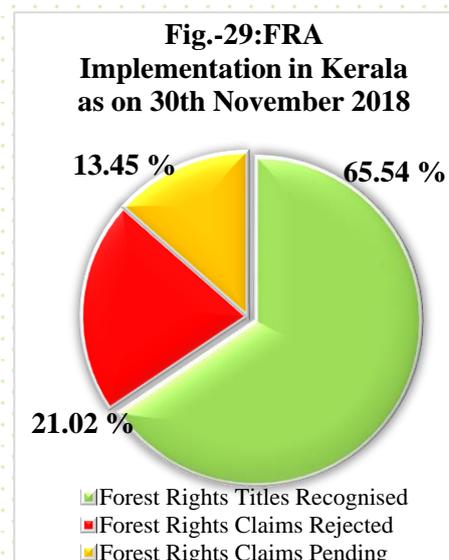
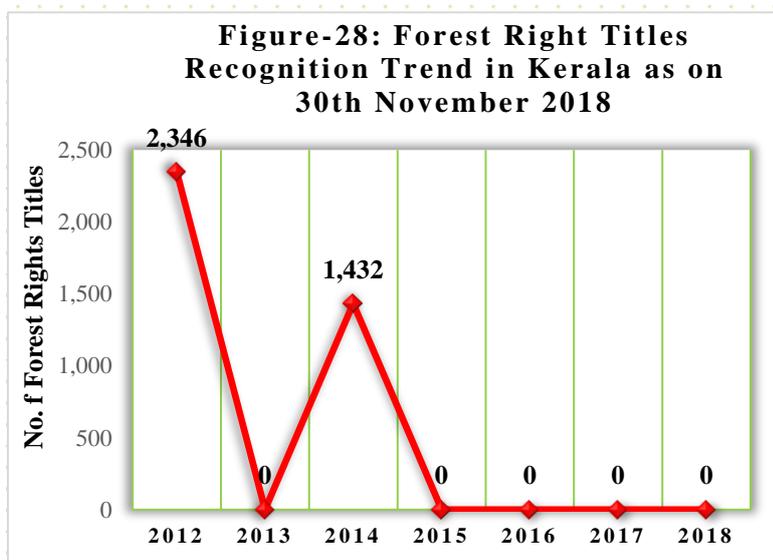


10. Table-14: Kerala - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	36,140	1,395	24,599	0	7,889	0	3,652	1,395	33,018.12	0
Total	37,535		24,599		7,889		5,047		33,018.12	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.34 acre**
- Average recognised CFR land – **NA**
- Percentage of potential forest area recognised – **1.48 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **65.54 %**
 - Forest right claims rejected – **21.02 %**
 - Forest right claims pending – **13.45 %**

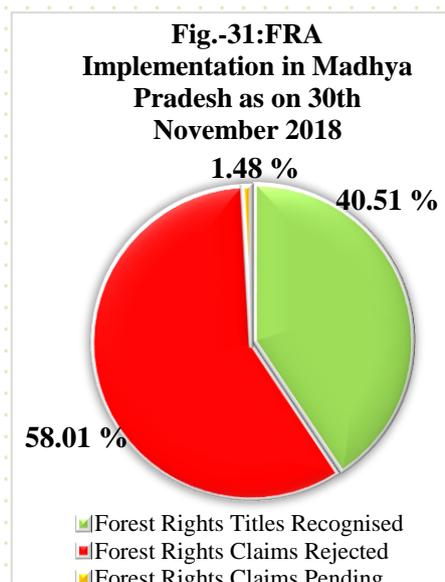
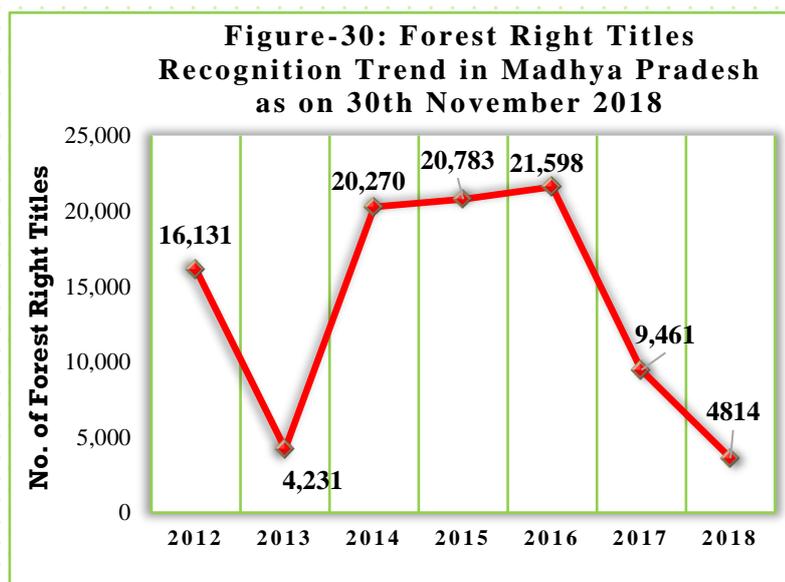


11. Table-15: Madhya Pradesh - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		5,82,302	41,795	2,24,882	27,948	3,49,958	12,066	7,462	1,781	8,10,233.73
Total	6,24,097		2,52,830		3,62,024		9,243		21,43,087.84	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **3.60 acre**
- Average recognised CFR land – **47.69 acre**
- Percentage of potential forest area recognised – **12.97 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **40.51 %**
 - Forest right claims rejected – **58.01 %**
 - Forest right claims pending – **1.48 %**



12. Table-16: **Maharashtra** - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		3,60,452	12,007	1,14,216	6,909	2,26,380	1,736	19,856	3,362	2,66,329.89
Total	3,72,459		1,21,125		2,28,116		23,218		29,68,856.44	

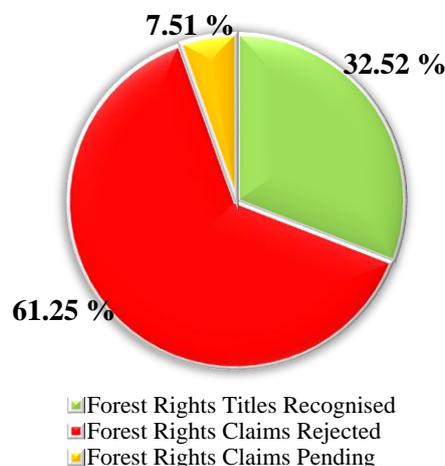
Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **2.33 acre**
- Average recognised CFR land – **391.16 acre**
- Percentage of potential forest area recognised – **24.17 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **32.52 %**
 - Forest right claims rejected – **61.25 %**
 - Forest right claims pending – **7.51 %**

Figure-32: Forest Right Titles Recognition Trend in Maharashtra as on 30th November 2018



Fig.-33: FRA Implementation in Maharashtra as on 30th November 2018

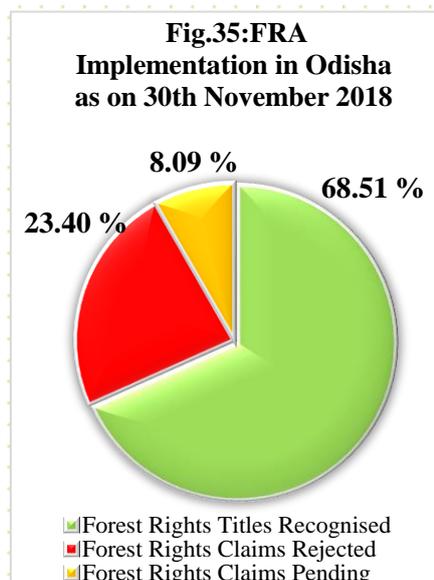
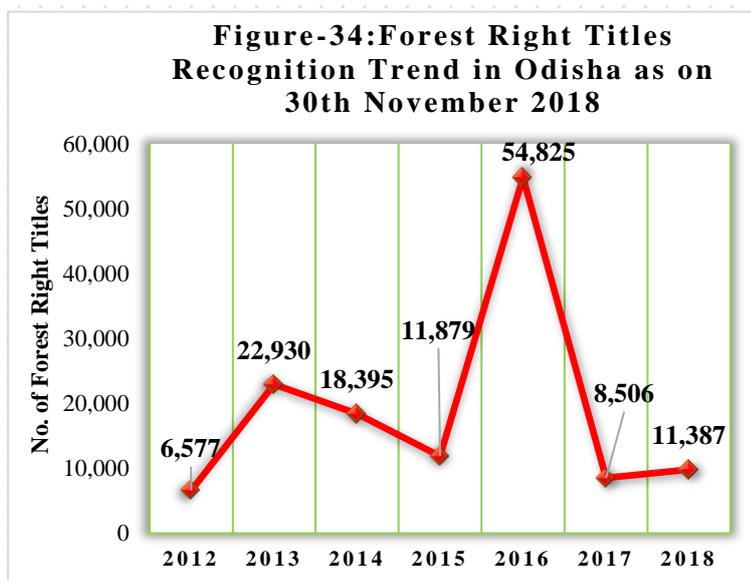


13. Table-17: **Odisha** - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	6,12,559	13,736	4,22,655	6,467	1,45,526	999	44,378	6270	6,26,982.74	3,42,572.19
Total	6,26,295		4,29,122		1,46,525		50,648		9,69,500.92	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.48 acre**
- Average recognised CFR land – **52.97 acre**
- Percentage of potential forest area recognised – **15.21 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **68.51 %**
 - Forest right claims rejected – **23.40 %**
 - Forest right claims pending – **8.09 %**

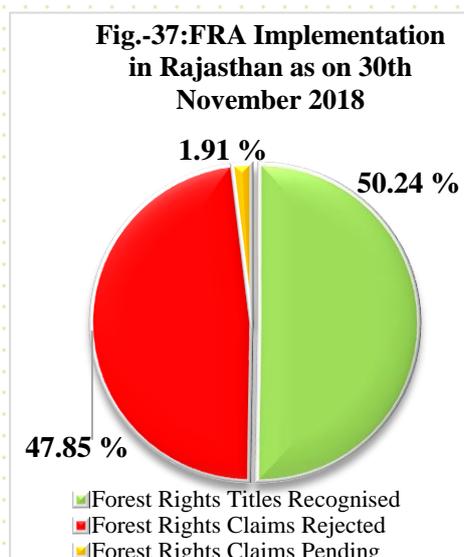
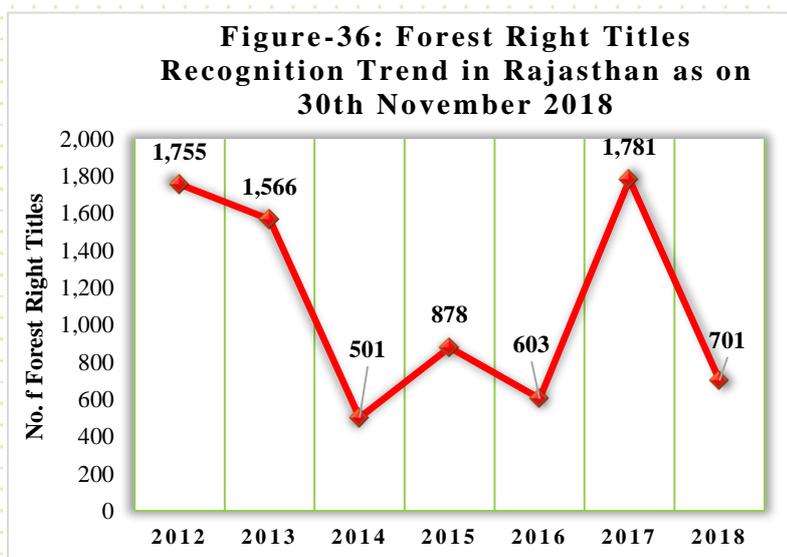


14. Table-18: Rajasthan – FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	74,414	1,441	38,007	103	35,756	543	651	795	57,730.26	2,994.64
Total	75,855		38,110		36,299		1,446		60,723.90	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.52 acre**
- Average recognised CFR land – **29.07 acre**
- Percentage of potential forest area recognised – **0.96 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **50.24 %**
 - Forest right claims rejected – **47.85%**
 - Forest right claims pending – **1.91 %**

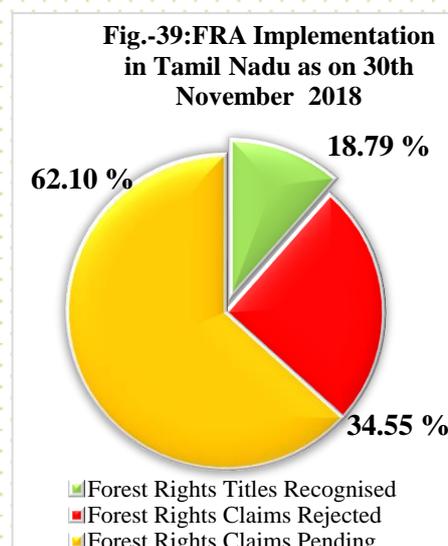
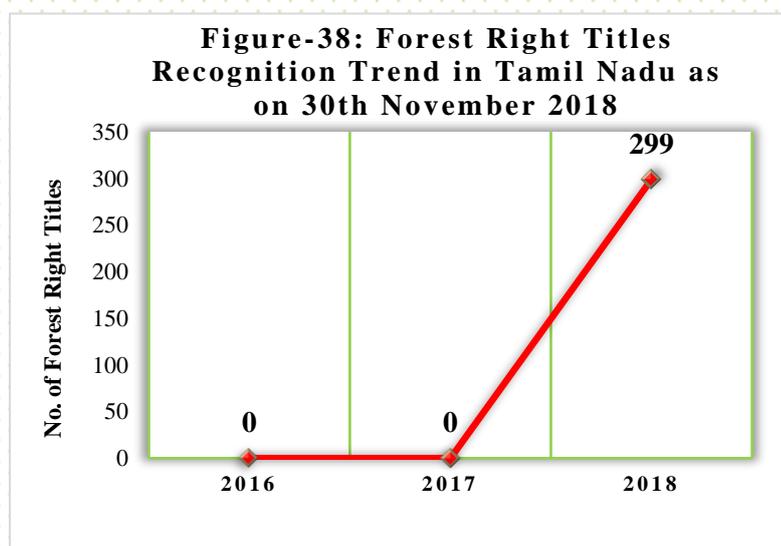


15. Table-19: **Tamil Nadu** – FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	32,983	1,005	6,111	276	11,634	108	15,238	621	8,607.26	0
Total	33,988		6,387		11,742		15,859		8,607.26	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.42 acre**
- Average recognised CFR land – **NA**
- Percentage of potential forest area recognised – **0.28 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **18.79 %**
 - Forest right claims rejected – **34.55 %**
 - Forest right claims pending – **62.10 %**

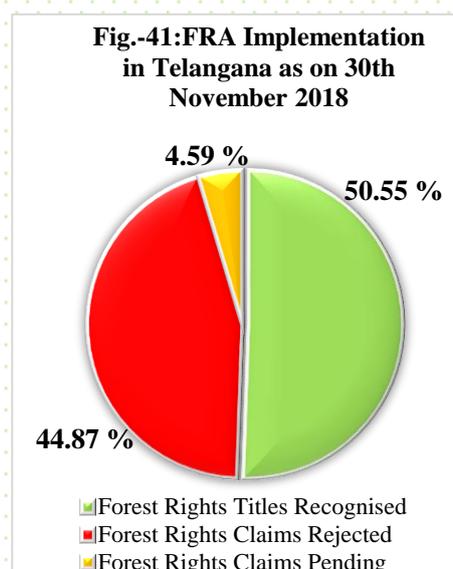
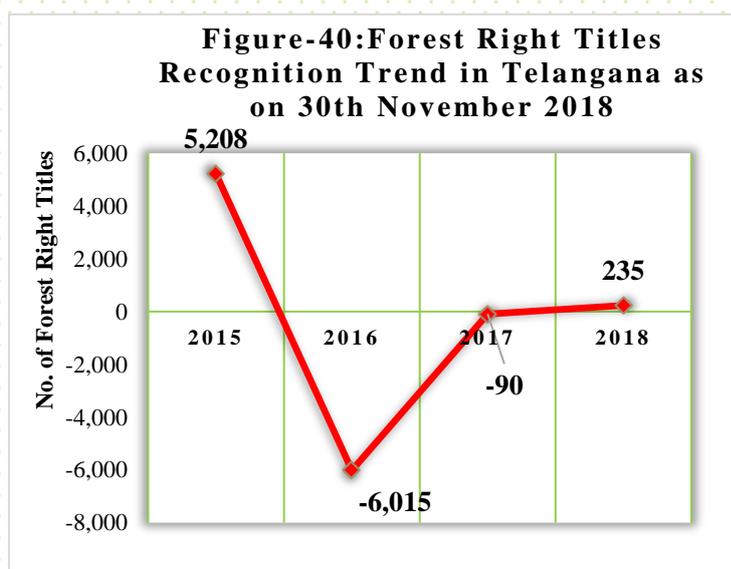


16. Table-20: Telangana – FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR ¹¹	IFR	CFR	IFR	CFR	IFR	CFR ¹¹
	1,83,252	3,427	93,639	721	82,075	1,682	7,538	1,024	3,00,284	4,54,055
Total	1,86,679		94,360		83,757		8,562		7,54,339	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **3.21 acre**
- Average recognised CFR land – **629.76 acre**
- Percentage of potential forest area recognised – **20.36 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **50.55 %**
 - Forest right claims rejected – **44.87 %**
 - Forest right claims pending – **4.59 %**



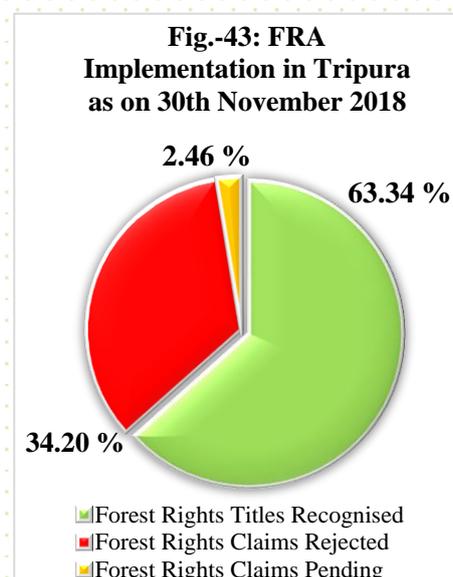
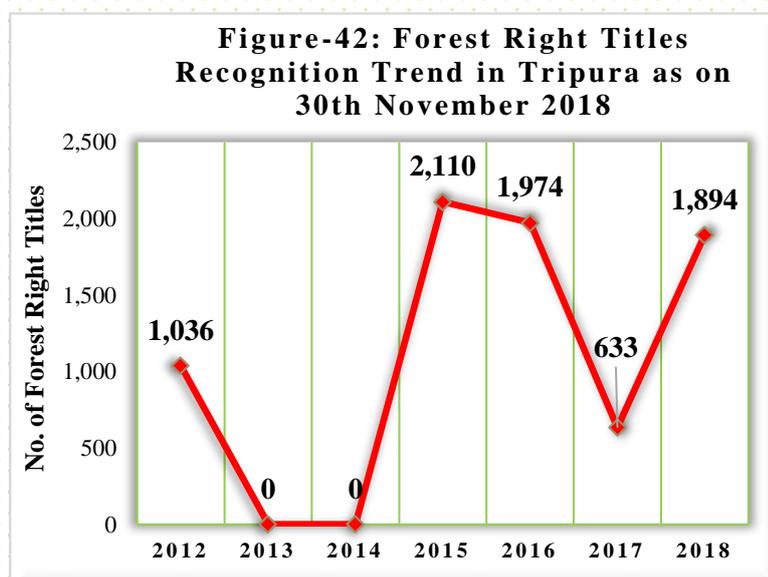
¹¹ Even after formation of the new state in 2014 the Government of Telangana did not correct the CFR titles issued in the name of VSSs instead of Gram Sabha. This violates the provisions of FRA. See, <http://www.cfrra.org.in/uploads/acrvr/AR3ZOTelangana%20Report-Final-07-Dec-16.pdf>, page-8

17. Table-21: Tripura – FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	2,00,358	277	1,27,029	55	68,388	222	4,941	0	4,60,049.16	91.16
Total	2,00,635		1,27,084		68,610		4,941		4,60,140.33	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **3.62 acre**
- Average recognised CFR land – **1.66 acre**
- Percentage of potential forest area recognised – **34.87 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **63.34 %**
 - Forest right claims rejected – **34.20 %**
 - Forest right claims pending – **2.46 %**



18. Table-22: **Uttar Pradesh** – FRA Implementation as on 31st November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	92,520	1,124	17,712	843	74,945	0	NA ¹²	NA	18,854	1,20,802.06
Total	93,644		18,555		74,945		144		1,39,656.06	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **1.06 acre**
- Average recognised CFR land – **143.30 acre**
- Percentage of potential forest area recognised – **6.80 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **19.81 %**
 - Forest right claims rejected – **80.03 %**
 - Forest right claims pending – **0.15 %**

Figure-44: Forest Right Titles Recognition Trend in Uttar Pradesh as on 30th November 2018

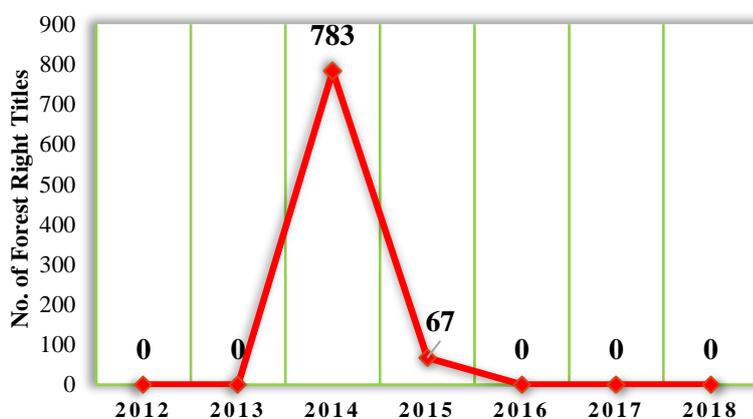
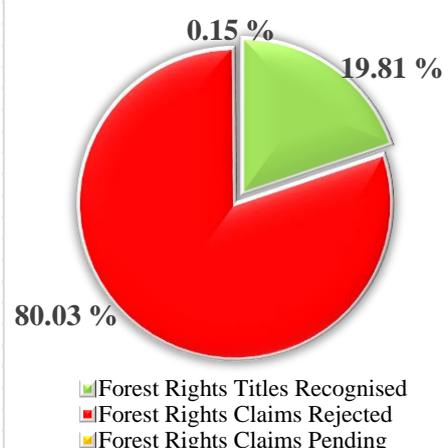


Fig.-45: FRA Implementation in Uttar Pradesh as on 30th November 2018



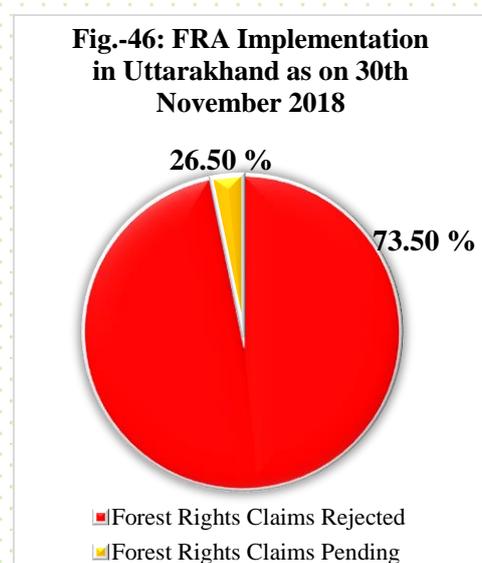
¹² The status of pending claim for IFR and CFR is not calculated as the available information in the latest MPR report of November 2018 appears to be incorrect. However, as we have calculated in case of other states, we have employed the same logic to arrive at the total pending claims

19. Table-23: Uttarakhand – FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
	3,574	3,091	0	0	3,363	1,536	211	1,555	0	0
Total	6,665		0		4,899		1,766		0	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – NA
- Average recognised CFR land – NA
- Percentage of potential forest area recognised – **0 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **0 %**
 - Forest right claims rejected – **73.50 %**
 - Forest right claims pending – **26.50 %**

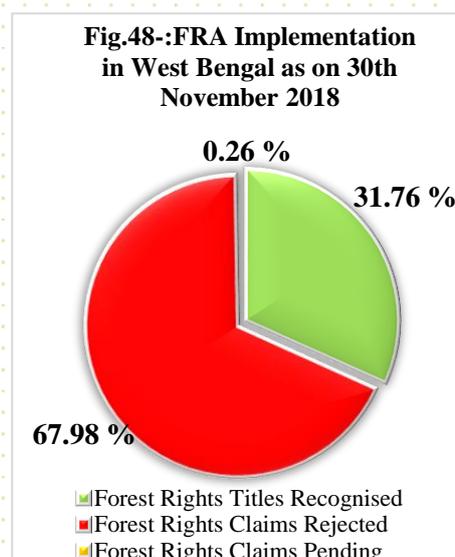
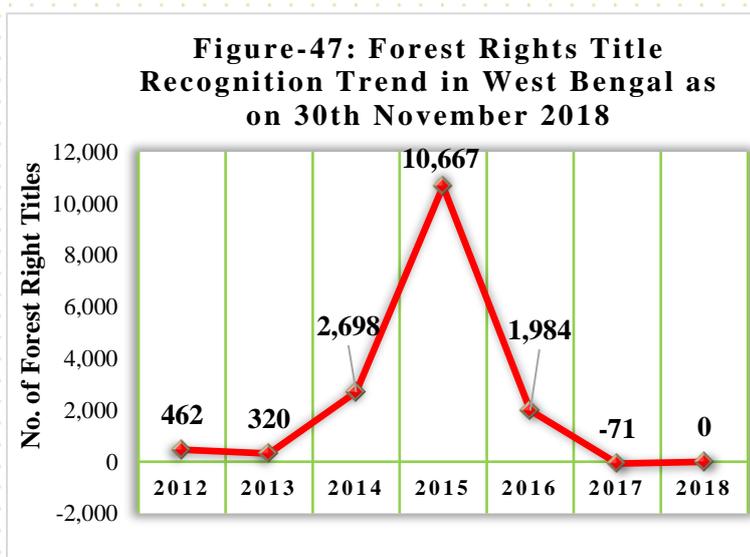


20. Table-24: West Bengal - FRA Implementation as on 30th November 2018

	No. of Claims Received		No. of Titles Recognised		No. of Claims Rejected		No. of Claims Pending		Forest Land Recognised (in acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
		1,31,962	10,119	44,444	686	87,333	9,254	185	179	21,014.27
Total	1,42,081		45,130		96,587		364		21,586.29	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Average recognised IFR land – **0.47 acre**
- Average recognised CFR land – **0.83 acre**
- Percentage of potential forest area recognised – **1.47 %**
- Out of Total Forest Right Claims:
 - Forest right titles recognised – **31.76 %**
 - Forest right claims rejected – **67.98 %**
 - Forest right claims pending – **0.26 %**



SECTION – V: Status of FRA Implementation in the Schedule V (PESA) States

Table-25: Status of FRA Implementation in the Scheduled V (PESA) States as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Andhra Pr.	177446	4062	96675	1374	73469	2458	7302	230	588441.02	1120962.18
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Gujarat	182869	7187	83699	3516	62460	2309	36710	1362	129571.61	1161351.49
Himachal P.	2071	170	129	7	0	0	1942	163	5.96	4670.56
Jharkhand	105363	3667	58053	2090	27784	1737	19366*		102918.07	99781.96
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Rajasthan	74414	1441	38007	103	35756	543	651	795	57730.26	2994.64
Telangana	183252	3427	93639	721	82,075	1,682	7538	1024	300284	454055
Total	32,55,885		15,97,449		14,89,341		1,69,095		127,77,671.77	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the Schedule V states the highest average recognised IFR area is in the state of **Andhra Pradesh** i.e. **6.09 acre** & lowest average recognised IFR area is in **Himachal Pradesh** i.e. **0.05 acre**.
- Among the Schedule V states the highest average recognised CFR area is in the state of **Andhra Pradesh** i.e. **815.84 acre** and lowest average recognised CFR area is in **Rajasthan** i.e. **29.07 acre**.

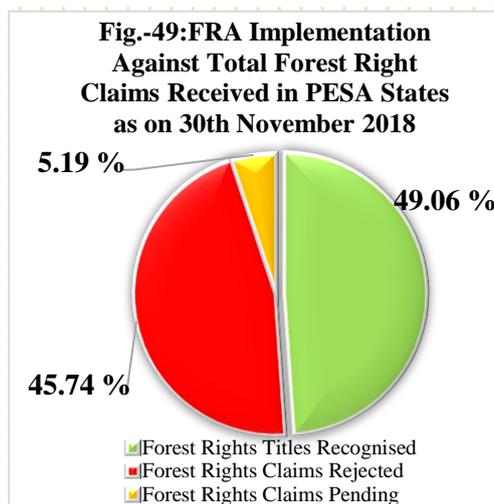
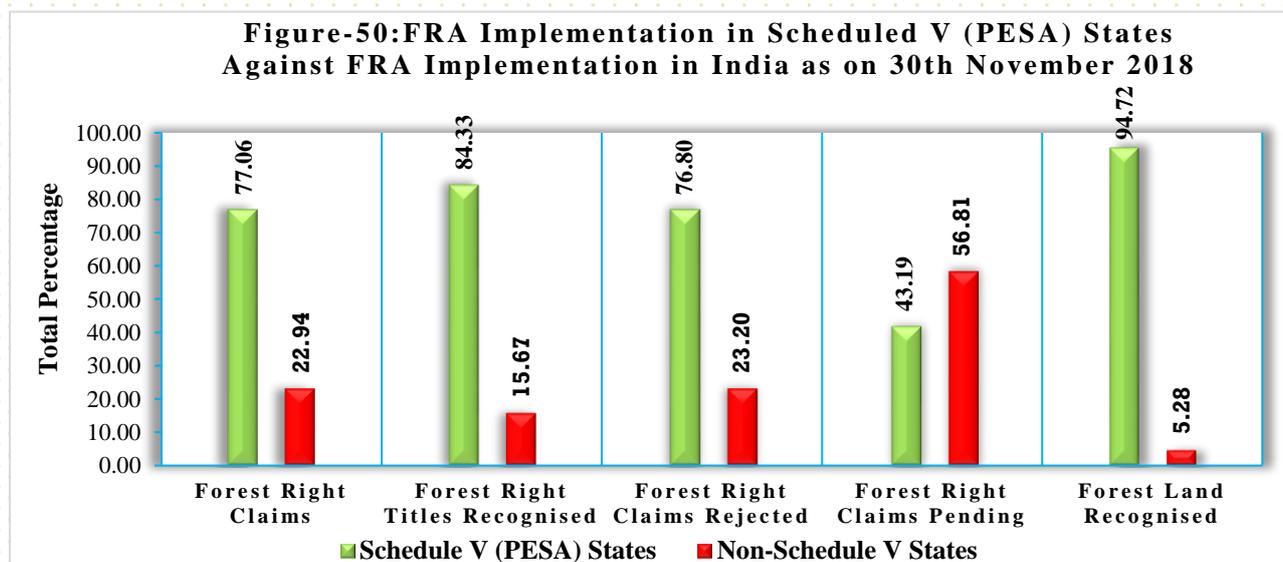


Figure-50: FRA Implementation in Scheduled V (PESA) States Against FRA Implementation in India as on 30th November 2018



* The status of pending claim for IFR and CFR is not calculated as the available information in the latest MPR report of November 2018 appears to be incorrect. However, as we have calculated in case of other states, we have employed the same logic to arrive at the total pending claims.

SECTION – VI: Status of FRA Implementation in the Top Five Tribal Populated States

Table-26: Status of FRA Implementation in the Top Five Tribal Populated States as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Rajasthan	74414	1441	38007	103	35756	543	651	795	57730.26	2994.64
Gujarat	182869	7187	83699	3516	62460	2309	36710	1362	129571.61	1161351.49
Total	18,88,762		9,28,402		8,37,733		1,22,627		74,33,091.2	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the top five Tribal populated states the highest average recognised IFR area is in the state of **Madhya Pradesh i.e. 3.60 acre** & lowest average recognised IFR area is in the state of **Odisha i.e. 1.48 acre**.
- Among the top five Tribal populated states the highest average recognised CFR area is in the state of **Maharashtra i.e. 391.16 acre** and lowest average recognised CFR area is in the state of **Rajasthan i.e. 29.07 acre**.

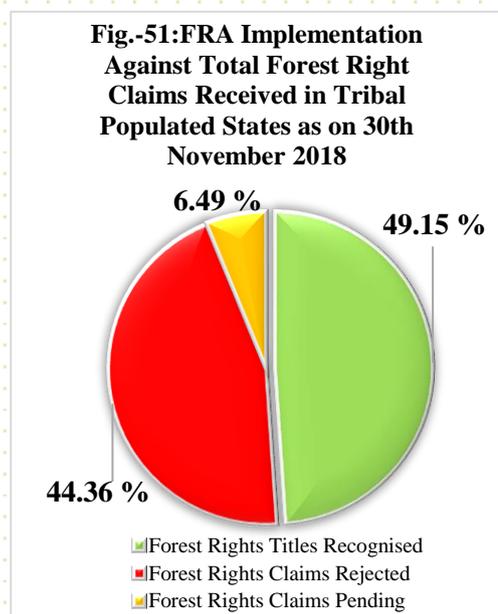
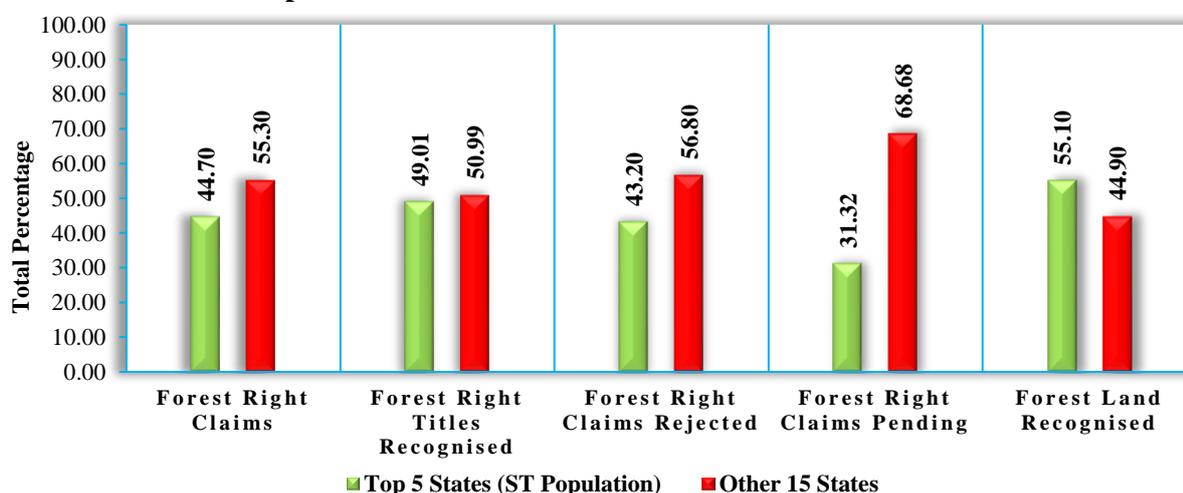


Figure-52: FRA Implementation In Top 5 States (As Per Percentage (%) Of ST Population) Against FRA Implementation in India as on 30th November 2018



SECTION – VII: Status of FRA Implementation in the Top Five Forest Cover States

Table-27: Status of FRA Implementation in the Top Five Forest Cover States as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Karnataka	275446	5903	14667	1406	176540	4416	84239	81	20813.51	28155.75
Total	27,91,865		12,35,509		13,80,024		1,76,332		88,03,876.28	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the top five forest cover states the highest average recognised IFR area is in the state of **Madhya Pradesh i.e. 3.60 acre** & lowest average recognised IFR area is in the state of **Karnataka i.e. 1.42 acre**.
- Among the top five forest cover states the highest average recognised CFR area is in the state of **Maharashtra i.e. 391.16 acre** and lowest average recognised CFR area is in the state of **Karnataka i.e. 20.03 acre**.

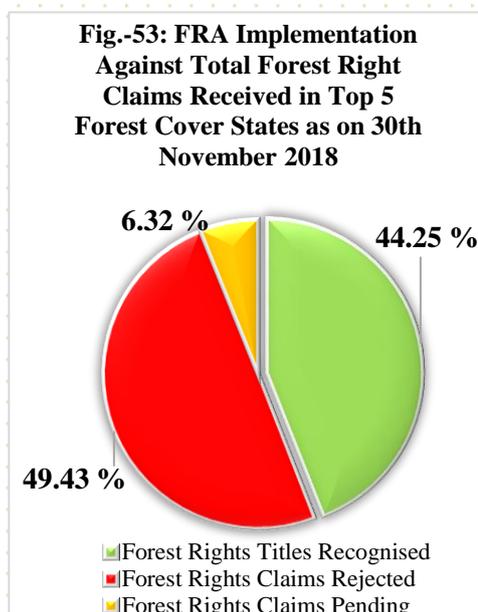
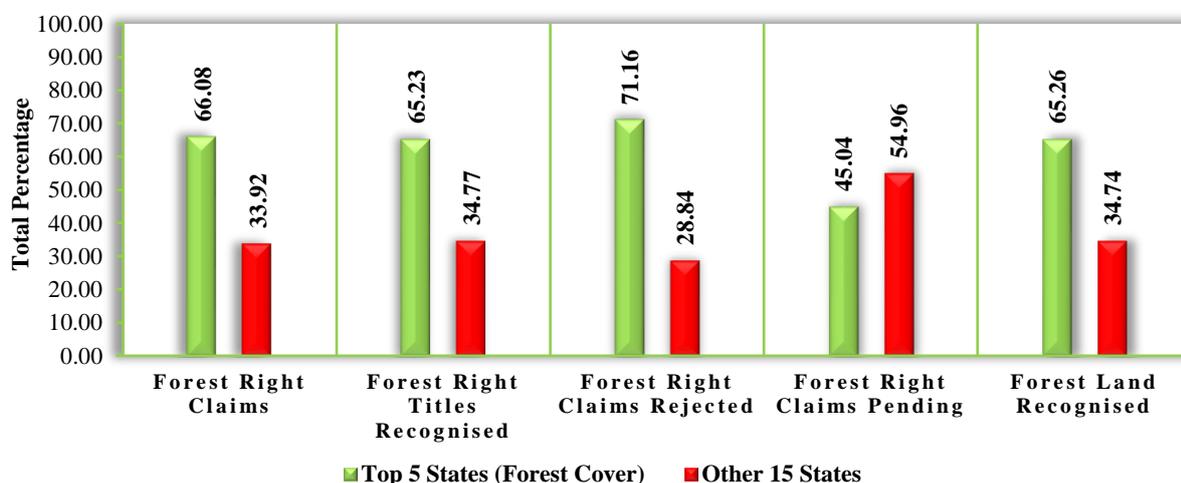


Fig.-54: FRA Implementation In Top 5 States (Forest Cover) Against FRA Implementation in India as on 30th November 2018



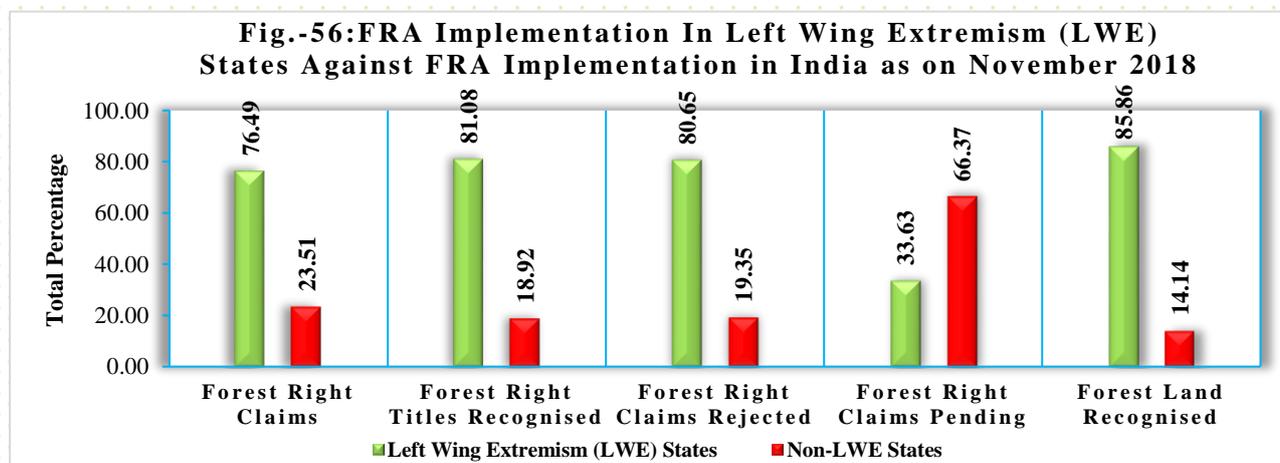
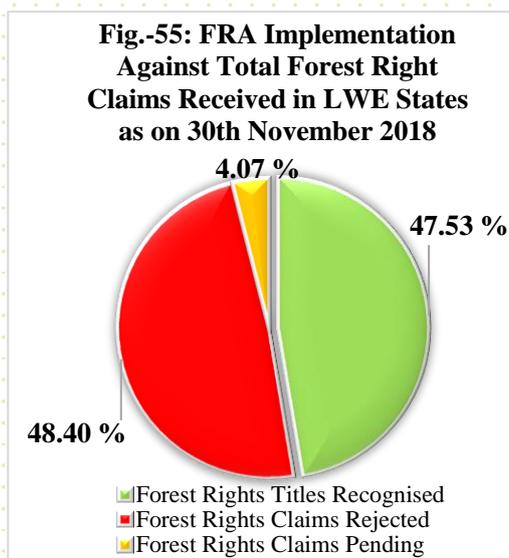
SECTION – VIII: Status of FRA Implementation in the LWE States

Table-28: Status of FRA Implementation in the Left-Wing Extremism (LWE) States as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Andhra Pr.	177446	4062	96675	1374	73469	2458	7302	230	588441.02	1120962.18
Bihar	8022	0	121	0	4215	0	3686	0	NA	NA
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Jharkhand	105363	3667	58053	2090	27784	1737	19366*		102918.07	102918.07
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Telangana	183252	3427	93639	721	82075	1682	7538	1024	300284	454055
Uttar Pr.	92520	1124	17712	843	74945	0	0	0	18854	120802.06
West Bengal	131962	10119	44444	686	87333	9254	185	179	21014.27	572.03
Total	32,31,480		15,35,794		15,64,020		1,31,666		115,82,590.6	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the LWE states the highest average recognised IFR area is in the state of **Andhra Pradesh** i.e. **6.09** acre & lowest average recognised IFR area is in the state of **West Bengal** i.e. **0.47** acre.
- Among the LWE states the highest average recognised CFR area is in the state of **Andhra Pradesh** i.e. **815.84** acre and lowest average recognised CFR area is in the state of **West Bengal** i.e. **0.83** acre.



*The status of pending claim for IFR and CFR is not calculated as the available information in the MPR report appears to be incorrect. However, as we have calculated in case of other states, we have employed the same logic to arrive at the total pending claims.

SECTION – IX: Top Five Average Forest Land Recognised States

Table-29: Status of FRA Implementation in the Top Five States (as per Average Recognised IFR Land) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Andhra Pr.	177446	4062	96675	1374	73469	2458	7302	230	588441.02	1120962.18
Goa	9758	378	17	8	46	1	9695	369	76.6	10.25
Tripura	200358	277	127029	55	68388	222	4941	0	460049.16	91.16
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Telangana	183252	3427	93,639	721	82075	1682	7538	1024	300284	454055
Total	12,03,055		5,72,348		5,90,365		40,342		50,67,057.23	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the top five states (as per the average recognised IFR land) highest average recognised IFR land is in the state of **Andhra Pradesh** i.e. **6.09** acre & lowest average recognised IFR land is in the state of **Telangana** i.e. **3.21** acre.

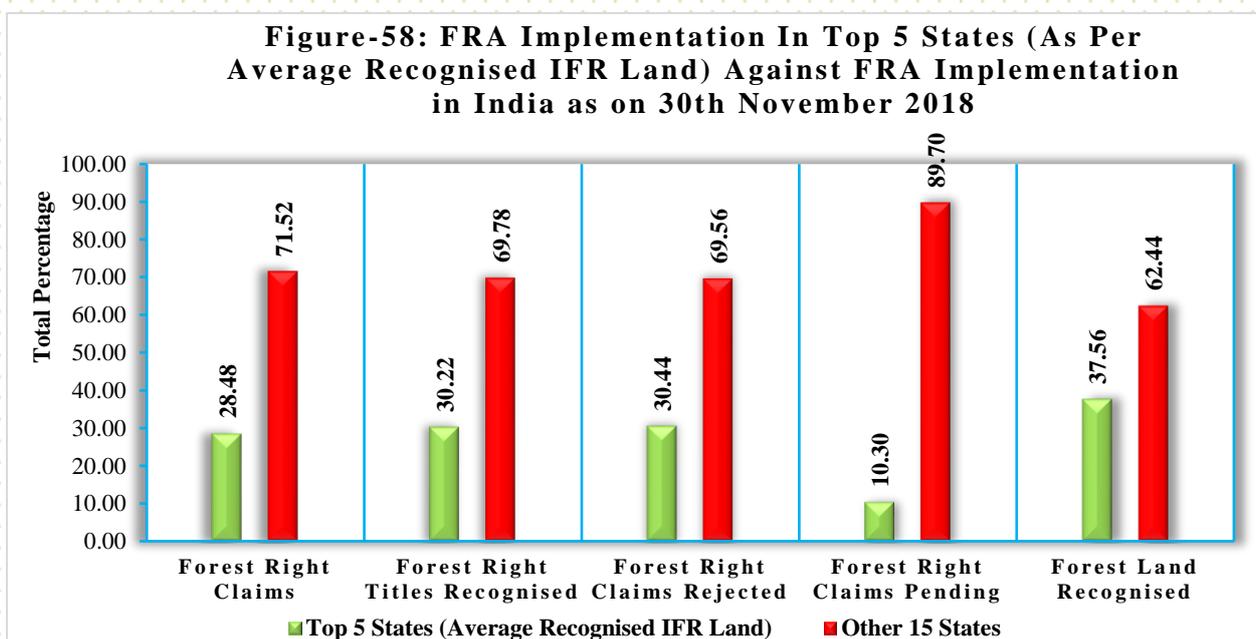
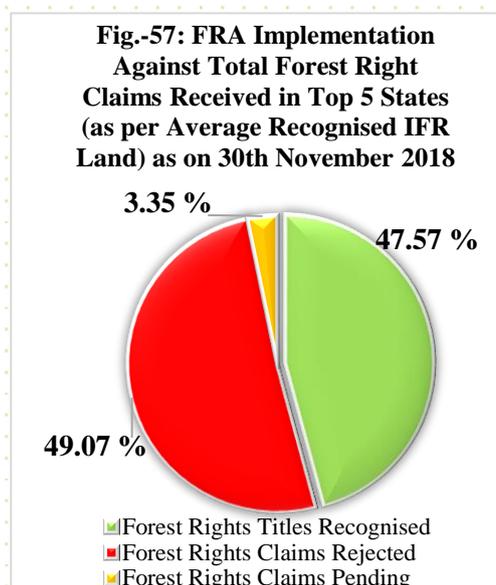
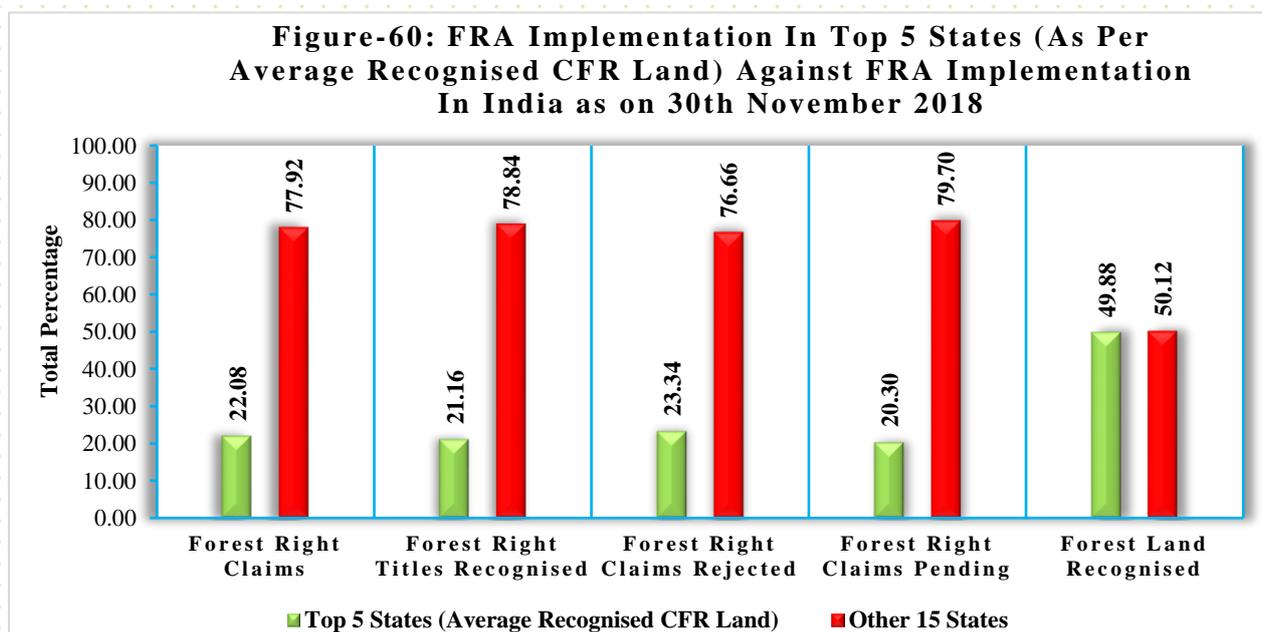
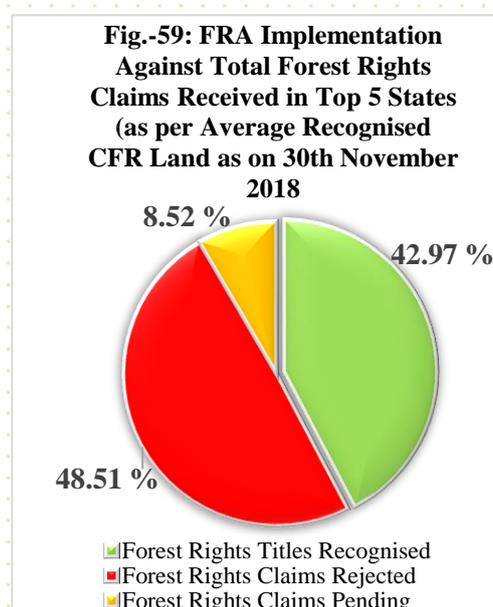


Table -30: Status of FRA Implementation in the Top Five States (as per Average Recognised CFR Land) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Andhra Pr.	177446	4065	96117	1374	72021	2457	9308	234	588441.02	1120962.18
Himachal Pr.	2071	170	129	7	0	0	1942	163	5.96	4,670.56
Telangana	183252	3427	93639	721	82075	1682	7538	1024	300284	454055
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Gujarat	182869	7187	83699	3516	62460	2309	36710	1362	129571.61	1161351.49
Total	9,32,943		4,00,885		4,52,569		79,489		67,28,198.26	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

- Among the LWE states the highest average recognised CFR area is in the state of **Andhra Pradesh** i.e. **815.84** acre and lowest average recognised CFR area is in the state of **Gujarat** i.e. **330.30** acre.



SECTION – X: States with Highest Number of Rejected Claims

Table – 31: Status of FRA Implementation in the Top Five States (as per IFR Claims Rejected) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Karnataka	275446	5903	14667	1,406	176540	4416	84239	81	20813.51	28,155.75
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Total	27,91,865		12,35,509		13,80,024		1,76,332		88,03,876.28	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

Fig.-61: FRA Implementation Against Total Claims Received in Top 5 States (as per IFR Claims Rejected) as on 30th November 2018

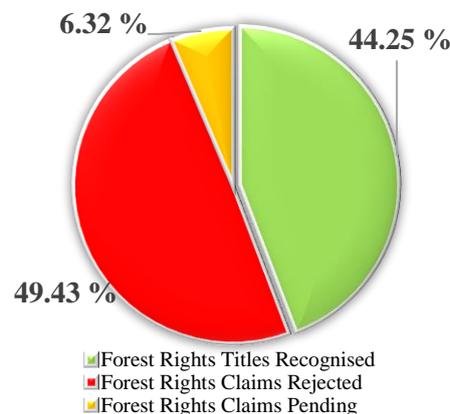


Figure-62: FRA Implementation In Top 5 States (As Per IFR Claims Rejected) Against FRA Implementation in India as on 30th November 2018

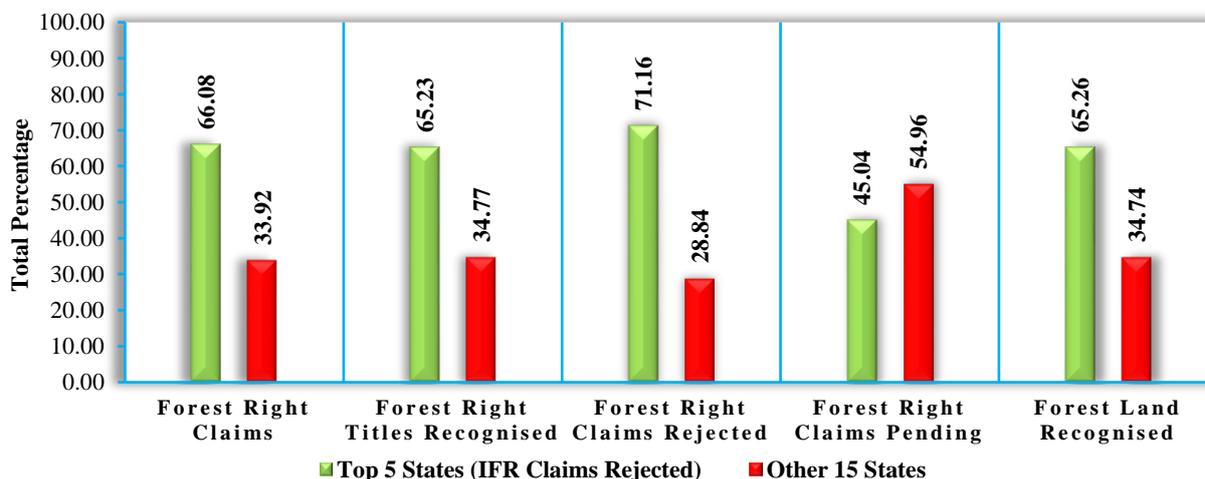


Table – 32: Status of FRA Implementation in the Top Five States (as per CFR Claims Rejected) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
West Bengal	131962	10119	44444	686	87333	9254	185	179	21014.27	572.03
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Karnataka	275446	5903	14667	1406	176540	4416	84239	81	20813.51	28155.75
Andhra Pr.	177446	4062	96675	1374	73469	2458	7302	230	588441.02	1120962.18
Total	21,16,700		8,28,441		11,77,897		1,10,362		65,96,508.41	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

Fig-63: FRA Implementation Against Total Claims Received in Top 5 States (as per CFR Claims Rejected) as on 30th November 2018

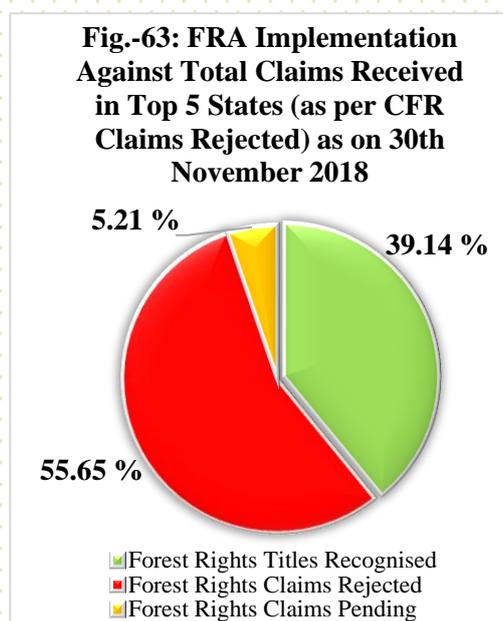
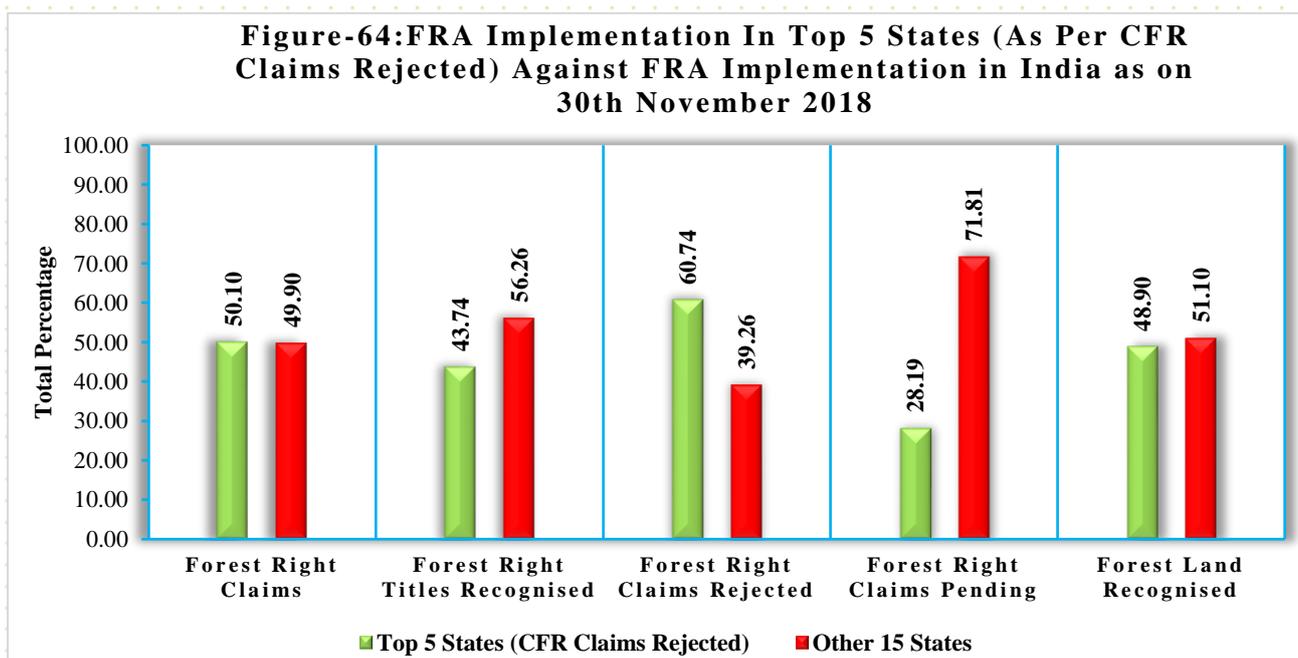


Figure-64: FRA Implementation In Top 5 States (As Per CFR Claims Rejected) Against FRA Implementation in India as on 30th November 2018



SECTION – XI: States with Highest Number of Pending Claims

Table – 33: Status of FRA Implementation in the Top Five States (as per IFR Claims Pending) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Assam	148965	6046	57325	1477	0	0	91640	4569	0	0
Karnataka	275446	5903	14667	1406	176540	4416	84239	81	20813.51	28,155.75
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Gujarat	182869	7187	83699	3516	62460	2309	36710	1362	129571.61	1161351.49
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Total	16,25,170		7,12,337		6,20,366		2,92,467		52,78,250.72	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

Fig.-65: FRA Implementation Against Total Claims Received in Top 5 States (as per IFR Claims Pending) as on 30th November 2018

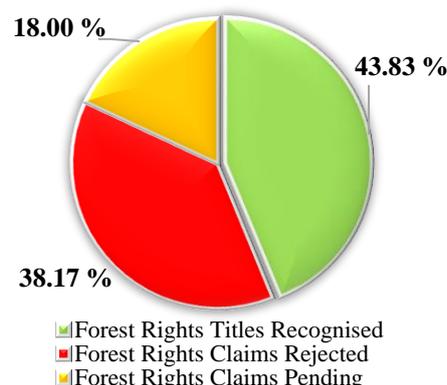


Figure-66: FRA Implementation In Top 5 States (As Per IFR Claims Pending) Against FRA Implementation in India as on 30th November 2018

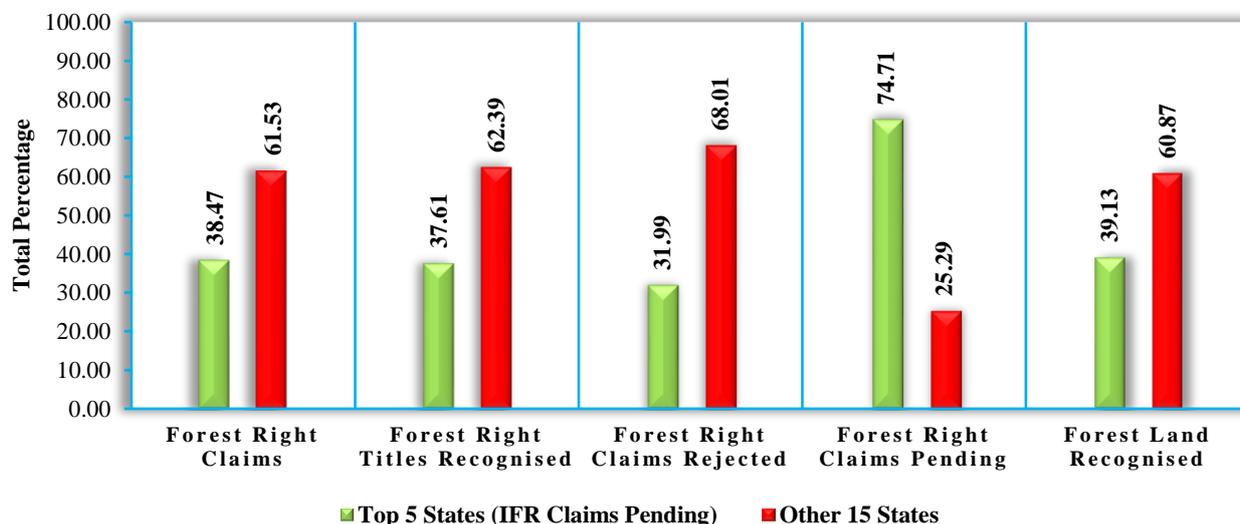


Table – 34: Status of FRA Implementation in the Top Five States (as per CFR Claims Pending) as on 30th November 2018

Name of the State	Forest Right Claims Received		Forest Right Titles Recognised		Forest Right Claims Rejected		Forest Right Claims Pending		Forest Land Recognised (in Acre)	
	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR	IFR	CFR
Odisha	612559	13736	422655	6467	145526	999	44378	6270	626928.74	342572.19
Chhattisgarh	856150	31515	398181	18178	455131	7272	2838	6065	836502.08	1836958.74
Assam	148965	6046	57325	1477	0	0	91640	4569	0	0
Maharashtra	360452	12007	114216	6909	226380	1736	19856	3362	266329.89	2702526.55
Madhya Pr.	582302	41795	224882	27948	349958	12066	7462	1781	810233.73	1332853.11
Total	26,65,527		12,78,238		11,99,068		1,88,221		87,54,905.02	

Source: Monthly Progress Report for November 2018, Ministry of Tribal Affairs, Government of India

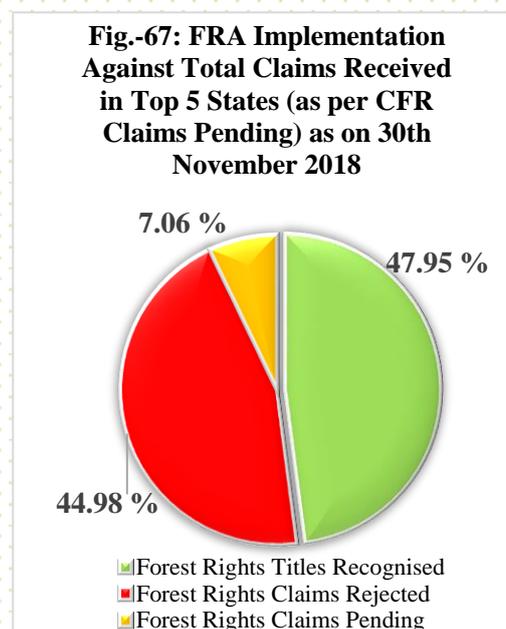
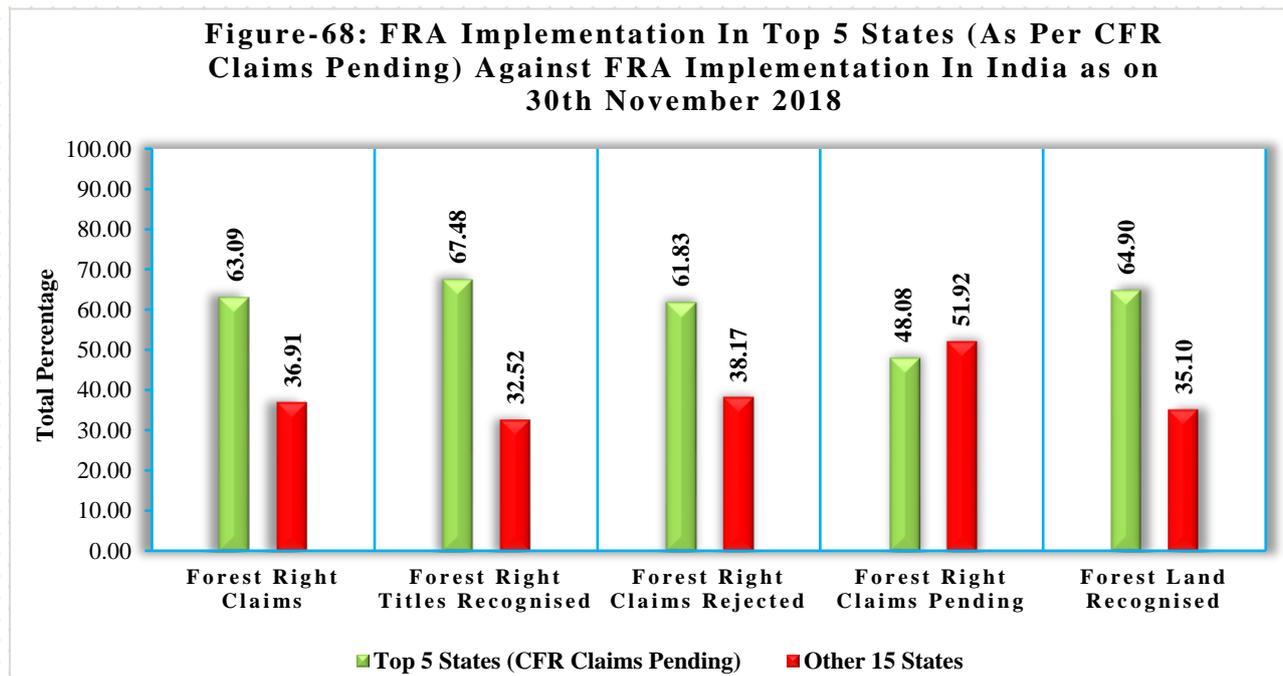


Figure-68: FRA Implementation In Top 5 States (As Per CFR Claims Pending) Against FRA Implementation In India as on 30th November 2018



SECTION – XII: Conclusion

The analysis of available database on forest rights implementation across India reveals that the level of implementation is uneven and inconsistent. There are multiple reasons for such dismal performance in the implementation of FRA. Some of them include: lack of political will, ineffective nodal agency i.e. Ministry of Tribal Affairs, introduction of conflicting laws both at the national and state level to subvert the rights of forest dwellers, lack of awareness among forest dwellers about the provisions of FRA, lack of coordination among the revenue, forest and tribal or welfare department at the state and district level to process the claims, etc (CFR-LA 2016; Sahu et.al 2017; TISS, 2017; Bijoy, 2017).

Specifically, with reference to large number of rejections and pending of forest rights claims, it is found in several instances from ground level investigation in Odisha, Jharkhand, Chhattisgarh and Maharashtra that the claimants are not informed or given explanation in writing the reasons for rejection of their claims by the SDLC and DLC authorities, there is no serious effort at the SDLC and DLC level to avail the required documents and information to the Gram Sabha to file their claims, regular meetings of SDLC and DLC are not taking place to expedite the process of pending claims, SDLC members insist upon a particular type of evidence to process the claims, claims of Other Traditional Forest Dwellers (OTFDs) are arbitrarily rejected or not processed at the SDLC and DLC level. The provisions for the recognition of OTFDs rights are misinterpreted and misunderstood by the implementing agencies. Discussion with Gram Sabhas and forest rights claimants in the above states reveal that the SDLC members insist upon that the claimant should be 75 years old and in many cases it is also found that the OTFDs claims are rejected because the claimant was not occupying the land for 75 years, there has been no attempt to prepare Record of Rights (RoR) by the district administration in the post-recognition of forest rights claims.

These and several other reasons have not been discussed and brought to the notice of Supreme Court in the ongoing petition challenging the claims of forest dwellers. The field level investigation by us reveals that there is no consolidated database on how many rejected claims have gone for appeal and how many claims have been rejected after appeal. In the light of above problems in the implementation of forest rights act, it is very important to revisit the current mechanisms and institutional arrangements in addressing the increasing number of rejected and pending claims. Without following the due process in rejecting claims will be a great injustice to millions of forest dwellers.

Several studies have already documented how the recognition of forest dwellers' rights has made an impact on the livelihood of people and improved socio-economic conditions of forest dependent people, especially in Maharashtra, Odisha and Tripura (Sahu, 2018; Khosla and Bhattacharya, 2019-forthcoming paper). The FRA provides the legal basis of ownership rights over NTFPs to forest dwellers. The remarkable impact of ownership rights over these forest products in terms of incomes and empowerment can, in fact, be observed in Maharashtra's Vidarbha region, where community rights under FRA have been implemented at scale, with almost 5.86 lakh hectares of forests being transferred to the jurisdiction of gram sabhas. Preliminary research work in Vidarbha region of Maharashtra reveals how ownership over minor forest produce, specially tendu leaves and bamboo, has improved the economic condition of forest dwellers. For example- 247 villages earned a total of nearly Rs 35 crore in 2017 by selling tendu leaves and bamboo. Unfortunately, such positive developments have been largely confined to Vidarbha, a few villages in Kalahandi district of Odisha and Gujarat's Narmada and Dangs districts. In the rest of the country, state governments continue to resist and create hurdles in the recognition of forest dwellers' rights over forest land and resources.

Given the potential of FRA to protect, regenerate and manage forest resources and improve livelihood of forest dwellers, the state implementing agencies need to revisit the current administrative process in the recognition of forest rights claims. More importantly, the administrative efforts should get support from the political regimes in implementing the forest rights act in letter and spirit.

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ANNEXURE

Annexure -1

Details of Forest Cover in FRA Implemented States

Sl. No	Name of the State	Total Forest Area in the State (Area in sq. km)	% of Total Geographic Area of the State
1	Andhra Pradesh	28147	17.27
2	Assam	28105	35.83
3	Bihar	7299	7.75
4	Chhattisgarh	55547	41.09
5	Goa	2229	60.21
6	Gujarat	14757	7.52
7	Himachal Pradesh	15100	27.12
8	Jharkhand	23553	29.55
9	Karnataka	37550	19.58
10	Kerala	20321	52.3
11	Madhya Pradesh	77414	25.11
12	Maharashtra	50682	16.47
13	Odisha	51345	32.98
14	Rajasthan	16572	4.89
15	Tamil Nadu	26281	20.21
16	Telangana	20419	18.22
17	Tripura	7726	73.68
18	Uttar Pradesh	14679	6.09
19	Uttarakhand	24295	45.43
20	West Bengal	16847	18.91

Source: Forest Survey of India 2017 Report. See, <http://fsi.nic.in/isfr2017/isfr-forest-cover-2017.pdf>

Annexure -2

Schedule Tribe (ST) Population in FRA Implemented States

Sl. No	Name of the State	ST Population (in Lakh)	% ST population in the state to total ST population in India
1	Andhra Pradesh	26.31	2.5
2	Assam	38.84	3.7
3	Bihar	13.37	1.3
4	Chhattisgarh	78.23	7.5
5	Goa	1.49	0.1
6	Gujarat	89.17	8.5
7	Himachal Pradesh	3.92	0.4
8	Jharkhand	86.45	8.3
9	Karnataka	42.49	4.1
10	Kerala	4.85	0.5
11	Madhya Pradesh	153.17	14.7
12	Maharashtra	105.1	10.1
13	Odisha	95.91	9.2
14	Rajasthan	92.39	8.8
15	Tamil Nadu	7.95	0.8
16	Telangana	32.87	3.1
17	Tripura	11.67	1.1
18	Uttar Pradesh	2.92	0.3
19	Uttarakhand	11.34	1.1
20	West Bengal	52.97	5.1

Source: Ministry of Tribal Affairs, Government of India. See, <https://www.tribal.nic.in/ST/Statistics8518.pdf>

Annexure – 3

**Details of Year and Month for which Monthly Progress Report (MPR) of FRA
Implementation is Available between January 2012 to November 2018**

Year	Months for which Monthly Progress Report (MPR) of FRA Implementation is Available	Total Number
2012	January, May, June, July, September, October, November, December	08
2013	March, April, May, June, September	05
2014	January, February, April, May, September, October	06
2015	January, February, May, July, August, September, October, December	08
2016	January, March, April, July, August, October, December	07
2017	January, February, March, April, May, June, July, August, September, November, December	11
2018	January, February, March, April, May, June, July, August, September, October, November	11

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(Photograph: Jamuguda Village, Kalahandi District, Odisha. *Photograph Taken By: Authors*)

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