

Implementation of the Forest Rights Act in the Protected Areas of Odisha

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Abstract

There is an ample scope for improvement of household well-being or promote ecosystem conservation in the Protected Areas through effective implementation of FRA. But the process of implementation of FRA in the Lakhari Valley Wildlife Sanctuary, Gajapati district of Odisha shows a lower rate of coverage due to high information gap and muteness of the areas. Both govt. officials and forest dwellers were equally responsible for irregularities in the FRA implementation process, recognition of rights over the uncultivated forest land and rejection of claims of other traditional forest dwellers (OTFDs). There is a need for strict monitoring system by an external agency along with the use of latest technology and involvement of local NGOs/SHGs for the spread of information, impart of training and control of irregularities.

Key Words: Forest Rights Act, Lakhari Valley Wildlife Sanctuary, Individual Right, Gram Sabha, Information Gap, Other Traditional Forest Dwellers

I. Introduction

The main idea behind the implementation of the FRA has been that the forest dwellers were becoming increasingly vulnerable due to injustice meted out to them for decades together in terms of restricting their access to forest resources through the implementation of various forest acts starting from the Indian Forest Act 1864, declaration of the Protected Areas, and displacement and relocation of forest dwellers for the establishment of various development projects like Dams, ports and irrigation projects (Springate-Baginski, et al., 2009; Bose, 2011; Aggarwal, 2011). These interventions had a multiplier effect in terms of increased deprivation of the Schedule Tribes (STs) and Other Traditional Forest Dwellers (OTFDs) with respect to the forest resources uses (Aggarwal, 2011).

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The implementation of the FRA in the Protected Areas merits a special attention. It is so because the declaration of PAs all over the world has been subject to varied criticisms. Most researchers have shown concerns with respect to its adverse livelihood implications (Indira, 1992; Vasundhara, 2004) while others have dealt with the growing human-animal conflicts (Coad, Campbell, Miles, & Humphries, 2008; Madhusudan, 2003; Sekhar, 1998; Rajpurohit & Krausman, 2000), crop depredation (Kharel, 1997; Biryahwaho, 2002; Saberwal, Gibbs, Chellam, & Johnsingh, 1994; Jackson & Wangchuk, 2004), inadequate compensations against live and livestock damages (Madhusudan, 2003; Tiger Task Force, 2005) and faulty relocation policies (West, Igoe, & Brockington, 2006; Nepal, 2002; Brockington, 2004; Lustig & Kingsbury, 2006; Cernea, 2007; Karanth, 2007).

The studies further observe that the idea of ecosystem protection by declaring Protected Areas had not been realised as several Protected Areas experiencing several threats and at the critical stages of degradation (World Bank, 1996). People were also not interested in ecosystem conservation (Duncan & McElwee, 1999; Fabricius & de Wet, 2002; Turton, 2002; Cernea & Schmidt-Soltau, 2006). It was argued that provision of property rights over the land and other resources forms the key foundation of a conservation policy (World Park Congress, 2003; Aagesen, 2000). Some other studies also observe that a secure land tenure promotes new investments in conservation and a sustainable resource management (Strasma and Barbosa 1984; Villamizar 1984), quoted from (Aagesen, 2000). Thus, it has been mentioned that Protected Areas should respect the rights, concerns and interests of the people with an adequate participation in the Protected Area management which is the cornerstone of good governance besides encouraging long term investments in wildlife management (World Park Congress, 2003).

The FRA recognizes and vests rights with the STs and OTFDs over the forest lands where they have been residing for generations. The main objective of this Act is to formalise the rights of the forest dwellers over the forest lands which have been under their control for generations. Such a formal recognition enables the forest dwellers to be more responsible and empowered to strengthen the conservation regime of the forest through a sustainable use of forest resources, conservation of biodiversity and maintenance of ecological balance (Government of India, 2006). Rights assigned under this Act include a bundle of individual and community tenure rights that provide security over the forest lands.

With respect to the enjoyment of rights, clear provisions are also made for an active participation of households in the decision making process with an adequate gender equality besides empowering them in terms of protecting the wildlife, forests, biodiversity, adjoining catchment areas, water bodies and other ecologically sensitive areas. In addition to regulating and stopping any activity which can adversely affect wild-animals, forests and the biodiversity, they have to ensure habitat preservation from any form of destructive practices that tend to affect their cultural and natural heritage.

In addition to these, there is a special provision of declaration Critical Wildlife Habitat (CWH) in the National Park and Sanctuaries (on the basis of some scientific and objective criteria) where it is found that coexistence is not possible and this should be kept as inviolable for the purpose of wildlife conservation (Government of India, 2011). Before declaration of the critical wildlife habitat, the rights of forest dwellers need to be adequately addressed or they are relocated with adequate compensation as mutually decided in consultation with Gram Sabha. After declaration, no forest rights holders shall be resettled or allowed to use their rights in any manner that affect the purposes behind the creation of inviolable areas for wildlife conservation.

These areas cannot be subsequently diverted by the state government or the central government or any other entity for other uses, except maintenance of a viable population of tigers and other wild animals. These guidelines revised again. As per the new guidelines, the Divisional Forest Officer (DFO) of the respective National Parks/ Wildlife Sanctuaries, in consultation with the local scientific institutions having practical experiences about the faunal and floral ecology, has to conduct a field visit to demarcate the CWH areas. During this process, DFO shall consult the Expert Committee about the claims proposed before offering two options for relocation: either a payment of Rs 10 lakh per family without involving the relocation process or a compensation package involving relocation. DFO shall submit a report along with a financial outlay based on both the options to the Chief Wildlife Warden (CWW). After a proper scrutiny, the CWW shall send the proposal to the MoEF by giving priority to a no-human-habitat-areas accompanying map consisting of facts, figures and photographs about the topography, geology and ecology of the area. At the same time, they shall also take initiatives to relocate families from the demarcated boundary. The Ministry of Environment and Forest, in consultation with the Central Level Committee, shall request the Planning Commission to sanction the required amount and to declare an area as a CWH.

These observations suggest that it is necessary to discuss the process of provision of property rights to forest dwellers under the FRA in the Protected Areas which has both short and long run welfare and conservation implications. Thus, this study explores the implementation of FRA in the Protected Areas of Odisha by taking a case study of Lakhari Valley Wildlife Sanctuary (LVWS).

II. Study Area and Data Base

The LVWS is located between 84.15⁰ and 84.25⁰ East latitudes and 19.15⁰ to 19.25⁰ North longitudes in the Gajapati district of Odisha. A total of 17495.80 hectares of the forest area was notified as a wildlife sanctuary in 1985 (DFO, Gajapati, 2007). There are a total of 515 households spread across 37 villages (six revenue and 31 forest villages) within inside the sanctuary. Besides, 142 villages belonging to both Gajapati and Ganjam districts reside within a 5 km radius of the sanctuary and are highly dependent on this ecosystem for their livelihoods.

The main tribal communities found in this area are Kandha and Sudha Sabar. They are settled cultivators engaged in the cultivation of paddy, ragi, maize, bajra, groundnut, cashew, green gram, horse gram, arhar, mustard and vegetables. They are also cultivating horticulture crops in the hilly areas of the sanctuary. The supplementary livelihood activities include non-timber forest products (NTFPs) collection and livestock grazing. There is a high forest dependency in terms of firewood collection due to the lack of other sources of energy for cooking (*ibid*). Other supplementary sources of income for these households are agriculture and non-agricultural wage labour and migration to urban areas. The poor socio-economic status of the households has made them depend heavily on the forest for NTFPs harvesting and unsustainable practices such as setting forest on fire, uprooting of trees and encroachment. Nearly 25 per cent of the total forest area of the sanctuary is degraded due encroachment for construction of houses and cultivation.

In order to improve household well-being and reduce increased human dependency on the forest areas, various welfare schemes have been implemented by the government. A participatory approach to natural resource management namely Eco-Development Programme (EDP) was implemented in the villages inside the sanctuary with the dual objectives of uplifting households from the poverty trap and improving the ecosystem. It ensures both human well-being and ecosystem sustainability. Households are provided alternative livelihood supports that will create incentives for a better forest management. However, achievements are far from

being satisfactory and certain challenges still remain even after the implementation of the programme. It is so because creation of alternative livelihoods activities did not transferred management right to people who enjoys excludability right over resources use in the sanctuary.

It implies that the non-execution of exclusion and management rights is the main reason for the failure of this programme in enhancing human well-being and motivating people for ecosystem conservation in the LVWS. Here it is believed that the provision of individual and communities rights over the resource use under the FRA (which ensures both exclusion and management rights) can remove anomalies in the implementation process of the EDP. There are two main expected benefits from the provision of individual rights over forest lands under cultivation under the FRA in the LVWS. First, legalization of the exclusion and management rights can establish a clear and well defined resource use boundary; as a result of which households become more secure than before. There is a better chance of expanding production activities through new investments and thereby an improvement in the household well-being. Secondly, exclusion rights over resource use create incentive for a better forest management.

For the selection of sample villages, all villages were grouped into two clusters—smaller villages (number of households ≤ 11) and larger villages (number households > 11). It was decided to select 10 villages according to probability proportionate to size for the selection of sample households for the final household survey. However, preference was given to those villages where FRA was being implemented at least two years before the year of primary data collection (i.e. the year 2012). It is so because, there is always a time-lag involved between the provision of land titles on the cultivated lands and the allocation of investments for improvement of land productivity. According to the information provided by the Integrated Tribal Development Agency (ITDA), Parlakhemundi, only in eight villages, claims over individual cultivated lands were approved and land titles distributed. Thus, while selecting the sample villages, preference was given to those villages where FRA was being implemented. Due to a smaller village size, there was a constraint in terms of employing a particular sampling method for the selection of households for the final survey. Therefore, the census survey method was adopted for the final survey.

Among the sample households, 40.3 per cent belong to Kandha, 43.9 per cent to Sudha Sabar, and the rest 15.8 per cent to the Other Traditional Forest Dwellers

(OTFD) categories. It is important to note that about 84.2 per cent of the households belong to the tribal groups. Further, a large number of households from the Kandha group belong to the small farmer category, while those from Sudha Sabar to the large farmer category and those from OTFDs to the marginal farmer category. About 78 percent of sample households are unable to generate minimum income¹ for a subsistence living and lying in the poverty trap. Agriculture is their principal source of livelihood activity, followed by non-agricultural wage employment and forestry. Lower availability of non-agricultural wage employment opportunities and severe resource degradation in the sanctuary suggests that household well-being can only be enhanced through promotion of agricultural activities. Secure land tenure can ensure productivity by promoting new investments and access to formal sources of credit (Strasma and Barbosa, 1984; Villamizar, 1984), quoted from Aagesen (2000). Thus, it is argued that the provision of land titles under the FRA in the LVWS has a direct linkage to agricultural development in terms of increasing farm income through promoting investments, access to credit and farm mechanization. As a result it can create stronger motivation on the part of people towards the protection and conservation of forest ecosystem (Sunderlin, Hatcher, & Liddle, 2008; Ganga, Julian, & James, 2011; Dimitrov, 2005).

III. Implementation of the FRA in Protected Areas of Odisha

Odisha had implemented Wildlife Protection Act (WLPA) in its regulated state boundary on 14th August 1974. The main intention underlying the declaration of the PAs was to maintain the ecological viability of the wildlife rich forested areas through restricting human settlements and livelihood related activities of the forest dependent communities living deep inside the PAs. Protected Area Network (PAN) of Odisha comprises of one National Park (NP), eighteen Wildlife Sanctuaries (WLS), and one proposed NP which covers about 4.2 per cent (6611.12 sq km) of the geographical area and 11.2 per cent of the total forest area of the state. The Vision 2020 keeps target to increase PAN about 10 per cent of total geographical area of the state. More than three lakh people are residing inside the protected areas and earn a subsistence level of livelihood from these ecosystems in terms of agriculture, fishery and NTFP.

¹ The minimum income for a subsistence living is derived on the basis of the Below the Poverty Line cut-off income for the rural areas of Odisha as estimated by the Tendulkar Committee (Planning Commission, 2011).

The idea of restriction over resources use in the PAs has significant adverse livelihoods and conservation implications (Vasundhara, 2004; Sarangi, 2004). Several PAs of Odisha are also facing several threats due to the various growing state promoted economic activities like the development of ports (e.g. Bhitarkanika WLS), industrialization (e.g. Bhitarkanika WLS), mining (e.g. Karlapet WLS), commercialization of forest resources (e.g. Balukhand-Konark WLS), illegal settlements of Bangladeshi immigrants (e.g. Bhitarkanika and Debrigarh WLS), pest and weeds (e.g. Similipal and Chandaka WLS) and forest fires (e.g. Bhitarkanika and Lakhari Valley WLS). But these facts were ignored and only forest dwellers were accused for the degradation of PAs by restricting their access to forest resources. Such injustices not only increased vulnerability among the forest dwellers but also severely depleted forest ecosystems.

Eco-development programme (EDP) was started as a pilot project in the Satkosia Tiger Reserve and later extended to other PAs like Bhitarkanika, Chandaka, Similipal, Kotagarh, Kuldiha and Lakhari Valley wild life sanctuaries. Opportunities were provided to the local communities, NGOs, and technical institutions to contribute towards ecosystem conservation through participating in the various stages of the programme (i.e. planning, implementation and monitoring). The life styles of people were influenced by way of providing them with alternative means of livelihoods such as promoting eco-tourism, reducing human-wildlife conflicts, enhancing peoples' participation in biodiversity conservation, improving management capabilities, and enhancing protection with a view to providing a strong link between conservation and development. But the generation of alternative livelihood activities and a reduction in human-animal conflicts were not adequately addressed in many PAs due to institutional problem. People had no idea about the benefits they were supposed to receive by adopting this programme. Cattle grazing were totally prohibited which created lots of problems for the pastoralist communities. In some cases, the EDP failed due to lack of unity, co-operation and partnership, vested interests, selfishness, corruption, disbelief and distrust of the EDP members. There were also instances where the forest related economic activities undertaken under this programme failed due to the degradation of forest resources in the sanctuary.

In such situation implementation of FRA in the PAs of Odisha merits special attention. Odisha is one of the pioneering states to have implemented the FRA, 2006 with respect to the PAs and forest dwellers living adjacent to the PAs have received land titles for their individual agricultural lands and community resources such as

temples, schools and ponds. The nodal agencies involved in the implementation process include Departments of Revenue and Disaster Management, Schedule Tribes and Schedule Caste Development, Panchayati Raj and Forest and Environment.

With regard to the recognition of forest rights in the PAs, the performance of Odisha is far better than other states. But several challenges still exist in the implementation process. In July 2010, a Committee appointed by the Ministry of Environment and Forest and Ministry of Tribal Affairs (MoEF/MoTA Forest Rights Act Committee, 2010), submitted a report, to the effect that programme was started very late in Odisha and that most of the people were not aware of the Act. No verifications have been carried out due to Maoist threats and people have been advised to not claim any land other than agricultural lands.

In many instances, most of the Community Forest Resource (CFR) forms are filled by the forest officials themselves, where many rights were violated e.g. denying firewood and nistar rights, not mentioning the right to manage and protect forests, not allotting the forest area in respect of which NTFP rights are applicable. Some people also claim that, the Revenue Inspector (RI) concerned has demanded bribe for land verification. The Act clearly states that people can live inside the core area if they so desire and that there should not be any forceful relocation. But this information has not been passed on to those people who are not inclined to be relocated. Those relocated are found suffering a lot in the new places due to lack of water, poor quality of land, the absence of land title (patta), shortage of land, inadequacy of nearby fuel and fodder sources, and broken promises of various socio-economic benefits. Long delays in approval of claims are also reported.

There was a strong opposition amongst the forest officials and conservationist groups for the provision of individual rights in the PAs. They had apprehensions that such an activity might lead to forest degradation besides increasing human-wildlife conflicts. There was a misconception that tiger reserves were exempted from the FRA. The FRA will not apply if the rights of people have already been settled under the WLPA with resettlement process carried out much before the implementation of the FRA. For example, in Similipal Tiger Reserve, most of the individual claims had been rejected on the ground that anyhow they will relocate in future and so there is no need for them to claim rights. Similarly, in Satkosia Tiger Reserve no initiative was undertaken for the formation of FRC and arrangement of Gram Sabha

(Government of India, 2010). There were also instances of the non-recognition of community rights inside the PAs (e.g. Badrama Wildlife Sanctuary). Several complaints were made to the state government against the sub-divisional level committee (SDLC) and district level committee (DLC) members for not carrying out the verification process. But the state government was unable to take any further steps in this regards.

Odisha proposed three areas namely Chilika-Nalabana, Chandaka, and Gahirmatha Wildlife Sanctuaries to be declared as critical wildlife habitat (CWH). However it is said that it was very difficult to follow the necessary procedures in respect of vesting of forest rights in the critical wildlife habitat areas (UNDP, 2008). The propositions underlying the critical wildlife habitats are quite ambiguous and do not allow for the recognition of the rights of the forest dwellers. As a result, there is a high possibility of the rejection of rights. The procedures involved in the declaration of critical wildlife habitats were followed without settling the rights of the forest dwellers on those lands. The forest dwellers were also neither properly informed about the procedures involved in the declaration of CWHs, nor about the resultant livelihood loss and the nature of compensation to be paid.

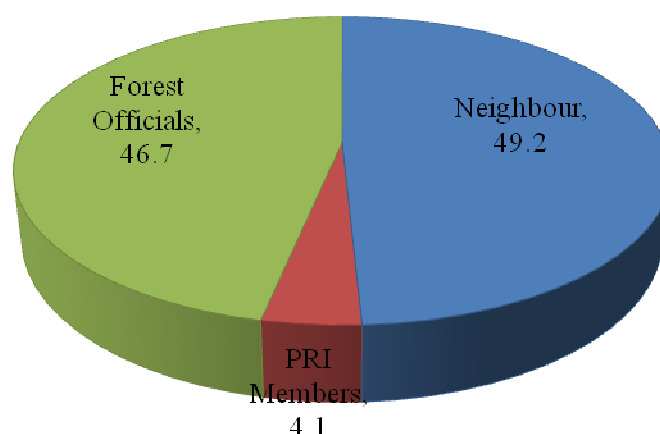
Evacuations were carried out without settling the rights and providing an adequate compensation to the claimants. The State Level Monitoring Committee (SLMC) was also not interested in taking any initiative towards the settling of rights in the CWH areas. For instance, during the land verification process in the Badrama Wildlife Sanctuary, the FRC members got a letter from the forest ranger concerned to stop the land verification process under FRA as the area was going to be declared as a CWH. They raised this issue before the SLDC and the Forest Department. But despite their petition, the SLMC was silent and did not take any right decision (Government of India, 2010). There were confusions about whether rights were to be settled in respect of the CWH or not. Further, there were several protests against the declaration of CWH. In respect of PAs, information about the implementation of FRA was not passed on to the forest dwellers and forced relocations were carried out (e.g. Similipal Tiger Reserve). Forced evictions were also observed in some areas where the individual claim procedure had been carried out. They were also restricted from cultivation and access to other forest resources (*ibid*).

IV. Implementation of the FRA in Lakhari Valley Wildlife Sanctuary

The recognition of individual land rights under the FRA was initiated in the LVWS in two phases i.e. during 2009 and 2011. In the first phase, out of a total 37 villages located inside the sanctuary area, the process of claim of land rights were started only in respect of eight villages. These villages are located in the buffer zone of the sanctuary and are easily accessible by road. The main reason for not implementing the FRA in other villages was the information-gap. Households mainly came to know about FRA implementation from their nearby villages/relatives (Figure 1). Forest officials and PRI members also played critical role in passing on the information about the implementation of the FRA.

But most of the villages were not aware of the implementation of the FRA. The Act clearly mentions that it is the duty of the officials concerned to disseminate information about the implementation of FRA in all the villages located in any type of forest land including National Parks and Wildlife Sanctuaries. But information about the implementation of FRA was not spread to other villages. Muteness of these areas may be the main reason for not spreading of information about implementation of the FRA. In general, forest officials were not interested for implementation of the FRA in LVWS. Spreading information about the implementation of the FRA by the forest officials was incidental rather than their benevolent attitude towards the forest dwellers. They always had a fear that it would reduce their power, promote forest degradation and increase human-wildlife conflicts. The Divisional Forest Officer (DFO), during a visit to one of these villages in relation to a public awareness program, informed the households about the implementation of the Act. In some villages households were pressurized forest officials for initiation of land claims. But forest officials were not interested of informing people living in core and inaccessible areas about implementation of the Act. These people are occasionally visiting to other areas and aware of implementation of various govt. programmes. Other government agencies are also not visiting to these areas due to status of a Protected Area and provide benefits under various govt. schemes. As a result the process of implementation of FRA was not started in these areas.

Figure 1: Sources of Information about the Implementation of the Forest Rights Act



There are three main nodal agencies involved in the implementation of the FRA in the LVWS: Integrated Tribal Development Agency (ITDA); Tahasildar, Paralakhemundi; and District Rural Development Agency (DRDA). Apart from these, the other participants involved in the implementation process include DFO, Panchayat Members, NGOs, Gram Sabha and local households. After getting the information about the enforcement of the Act, households showed keen interest in exploring the opportunities. A well-developed group behavior was observed in all the villages, while initiating their claims for land rights. All the claims made by households were for their individual agricultural lands.

The main institution at the bottom level, that is, the main agency to initiate the implementation process is Gram Sabha. Forest Rights Committees (FRCs) were constituted and Gram Sabhas were conducted in every village. The FRC members extended their full cooperation to the households while making their claims. In most cases the members of FRCs were rich and privilege (e.g. ward member) persons in the village. Some were also members of the Eco-Development Committee (EDC). According to these households' belief, in becoming a FRC member by an affluent person, the chance of their getting approvals for their claims was higher.

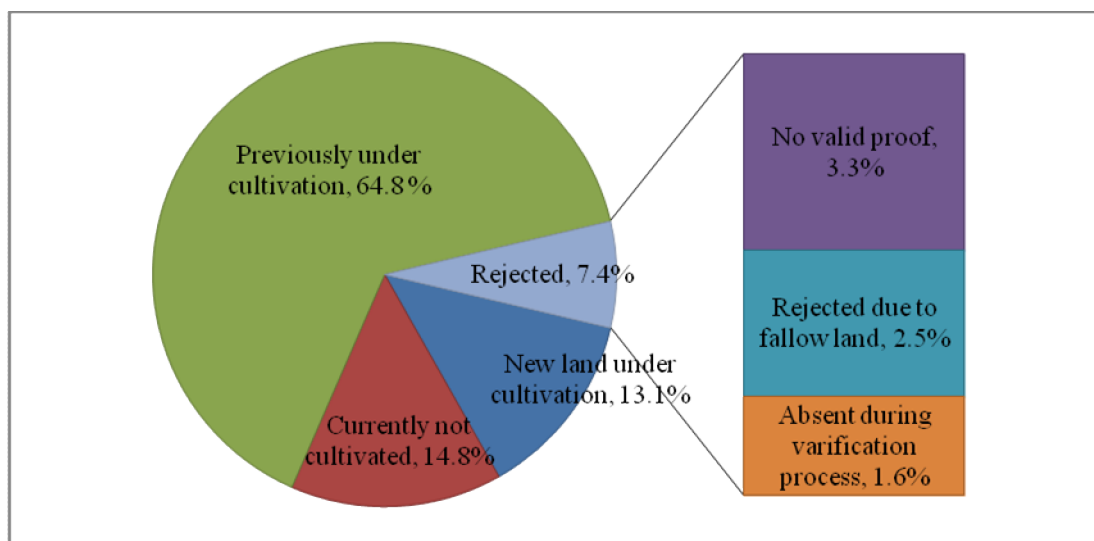
The Act mentions that claims should be recognized on those forest lands which are being cultivated by the forest dwellers since generations. But most of the households followed illegal methods for justifying their claims over the forest lands which were not under cultivation. Some households converted forest lands into cultivable lands and claimed for titles. There were also instances where different members of the same family had individually claimed rights over the forest lands. These irregularities

were mostly observed in the case of privileged households with an adequate knowledge and the involvement of the FRC members.

All the claims made by households were placed before the SDLC for verification. But the SDLC members did not follow any stringent process while verifying the claims. The process of verification was a formality in some villages. In one village, claims over some forest lands (uncultivated earlier) made by the households were not recognized by the SDLC due to insufficient proof. In that place, another forest land was selected and equally distributed to these households by giving priority to the landless poor. Some places they openly asked for bribe to approve the claims. In many cases households voluntarily offered bribe while in other cases they bore all the daily expenses of the officials involved in the land verification for recognition of claims.

Nevertheless, most claims including those over uncultivated forest lands were approved by SDLC and DLC. Only 7 percent of total claims were rejected due to various reasons such as no valid proof, fallow land and absence during the time of verification (Figure 2). It was also evident from the field study that many households did not know the location of the land for which claims were made and titles were distributed.

Figure 2: Present Status of Land Title Received Lands (%)



A major flaw in the implementation process was that claims of OTFDs² were not recognized in respect of the LVWS. Although they had provided necessary proof during the land verification process, while the claims of tribal groups in the same

² The Act defines OTFDs as those indigenous forest dwellers who have been residing in the forest areas for at least three generations (i.e. 75 years) and using forest resources for their bonafide livelihood needs.

village were recognized, they were deprived of getting the titles. They enquired several times with forest officials and FRC members about the provision of land titles, but were unable to get valid reasons for rejection.

There could be two possibilities for rejection of OTFDs claims. First, the Gram Sabha and FRC members were not very clear about the modalities of the Act. They were of the opinion that provisions made under FRA were meant only for the tribal groups and thus the claims of OTFDs were not considered. It implies that the Gram Sabha members didn't have a proper knowledge about the claims of the OTFDs. Second, the OTFDs might have failed in providing sufficient proof of their residence-ship for three generations.

The FRA mentions that injustice had been done to both the tribal and OTFDs in the past by not considering their rights over forest lands and other resources. It does not make any distinction between the two groups i.e. which group is more deprived. It implies that the FRA factored in an equal level of injustice and the resultant vulnerability among the two groups. Again, keeping 75 years residence-ship condition for one group and no such restriction in respect of other group is a violation of human rights and continuation of injustice.

Another flaw of the implementation process was that households were not told about the nature of services they have to provide in order to enjoy rights under the FRA. No household is aware about various conservation duties mentioned in the Act. As a result the noble aim of the Act was restricted only to the provision of land titles upon the forest lands under cultivation.

Titles (*patta*) were distributed over a total of 341.2 acres of agricultural land with an average landholding of 3.44 acre (standard deviation 2.51). The claim for 12.5 acres of land, in the name of village temple, being cultivated by the villagers under share cropping was also recognized.

Further, all the titles distributed were marked as provisional. The households had no idea whether it was the final one or they were supposed to get final title. Again the FRA clearly states that title should be in the name of both the spouses along with a list of all the beneficiaries of the family so that in case death of one of the spouses, other members of the family can enjoy the rights. But in some villages, titles were distributed only in the name of the household head while in other villages, names of family members were missing in the beneficiary list. But people did not have knowledge about it.

However, households are confident that their rights are hereditarily transferable and that their future generations would not have face any type of trouble or conflicts while enjoying their rights over these lands (Mishra, 2016). The rules-in-use in the case of cultivated lands upon which claims are recognized under the FRA are very clear and straight forward. According to the informal rules-in-use these lands are treated as private lands and every household knows about the legal boundary of its cultivated land. The management and resource harvesting rights are fully vested with that particular household. It has full rights to take decisions on what crops to be grown, how much investment to be made, who can enjoy the rights, etc. It can also deny other households the resource uses over its land. All the households have agreed that these lands should be treated like other private lands and the rights holders and his family members only have the rights to enjoy the resource uses benefits from these lands. Even though households are not aware of the absence of alienation rights over these lands, they feel more secure than before. They believe nobody in future can take away their rights over these lands.

V. Conclusion

Implementation of the FRA in LVWS merits a special attention because the ecosystem was under a severe threat of degradation with varied adverse effects on human well-being. But due to an information gap and muteness on the part of villagers, only few villages were covered in the initial phase of the implementation of the FRA. Many conditions of the Act were violated both by the govt. officials and forest dwellers at various stages of the implantation of the Act. Another major drawback of the implementation of FRA in the LVWS was non-recognition of the rights of poor OTFDs. The titles distributed also show various problems which people are not aware of. However, whatever may be the process of the recognition of rights over the cultivated lands, most households have come to feel more secure after receiving the titles because of the presence of strong working rules while exercising their rights.

But lower coverage and irregularities in the implementation process are severe issues which need to be immediately addressed for better results. The forest officials should inform people about the procedures of making claims under the Act in detail without the fear that it will promote deforestation. They can take the help of village community councils/leaders, SHGs and local NGOs/SHGs in spreading information

about the implementation of FRA. They can also educate people about various conditions/rules mentioned in the Act.

The transformation of forest lands into the agricultural lands can easily be checked by the use of GIS technology, which recently used for the land survey. Prior to that the extent of forest land, that is not under-cultivation, need to be recorded to check illegal encroachment of the forest land. The Gram Sabha members and govt. officials-in-charge of land verification should strictly follow the conditions under laid in the Act.

There should be an independent agency, other than the SLMC, who can regularly monitor progress of the Act and also the activities of Gram Sabha/FRC members and govt. officials involved in land verification. They can have a regular random visit to some areas to reexamine validity/rejection of the claims and distribution of titles, identify any anomalies in the titles distributed and solve any dispute between the forest dwellers and govt. officials. Otherwise the agency can hire services of local NGOs/SHGs to monitor the land verification. This agency can also provide trainings to these stakeholders so that they can be clearer about various procedures of the Act.

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