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**Chhattisgarh's Sitanadi Udanti tiger reserve:
Tribals seek forest rights, officials cite core area
rule.**



Despite the Congress-led Chhattisgarh government's promise of recognition of community resource rights, these villagers are facing bureaucratic hurdles, largely based on interpretation of law.

THOUSANDS OF tribals living in villages located in the core areas of Sitanadi Udanti Tiger Reserve are demanding that their Community Forest Resource rights be recognised. Despite the Congress-led Chhattisgarh government's promise of recognition of community resource rights, these villagers are facing bureaucratic hurdles, largely based on interpretation of law.

On February 16, residents of one of the villages, Bahigaon, submitted a letter to the Sub Divisional Magistrate, asking for a special gram sabha to facilitate the recognition of Community Forest Resource rights provided under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The letter said despite receiving communication from the state tribal department, "officials have stopped the process and are illegally thwarting" the process of rights recognition.

What the law says about the rights

SECTION 3 (1) (i) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 gives right to protect,

regenerate or conserve or manage any community forest resource which the tribals have been traditionally protecting and conserving for sustainable use. For recognition of Community Forest Resource rights, traditional boundary of a tribal village is recognised, empowering the gram sabha of the village to take decisions on protection, regeneration, conservation and management of the forest and its produce.

Manoj Shakshi, a zila panchayat member, who has been a part of several such protests in villages inside the Sitanadi Udanti National Park, said, "The district authorities are telling us that our rights can't be recognised as we are in the core areas. The forest officials say the rights do not apply in the core areas, which is against the Act."

Residents of more than 10 villages are trying to get their resource rights on the forest around them from authorities of the tiger reserve and district authorities of Dhamtari and Gariaband. Local officials said the villagers' community rights should be discussed only when they move out of the core areas. "In the core areas, even

grazing is not allowed. The villages want the resource rights so that they can get roads and other amenities that can't be built inside the core area," an official said.

Dhamtari Collector J P Maurya had sought directions from the tribal department for these villages in October 2020. "I sent letters to the departments and we received directives that it is not possible to go on with the rights recognition process at this time."

A letter dated December 9 from Secretary (Tribal) D D Singh said: "This fact has come to light that in Critical Wildlife Habitat/Tiger Reserve, due to some reasons, recognition of Forest Rights are getting delayed. According to the Act's Section 4(1), notwithstanding anything contained in any other law for the time being in force, and subject to the provisions of this Act, the Central Government hereby recognises and vests forest rights under Section 3(1) of the same Act."

"In the letter, I have quoted what the Act says. Its interpretation would be done by the officials on the ground," Singh told The Indian Express. On

the protesting villagers, he said, “I am not aware about the ground realities, but giving community resource rights there seems difficult as the management of such areas need to be done by skilled people.”

Shakshi and other villagers believed that the officials cannot take this decision. Gariaband-based activist Benipuri Goswami said, “The Act states that rights of tribals be recognised in any type of forested area. Officials think they can manage the forests better than the tribals who have spent generations inside the forest. It shows lack of trust, but tribals are involved and employed by department for the upkeep of the forests.” On January 19, tribals from several villages protested outside the office of Sitanadi Udanti Tiger Reserve Deputy Director Ayush Jain.

The same day, he informed villagers through a letter that the reserve is to be brought under the category of Critical Wildlife Habitat. “The process of recognition of forest rights in such areas is being decided at a higher stage. So, only

after the process is decided, the work on recognition of rights can be started," the letter said.

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