

Business Standard

MoEF trying to 'subvert' FRA: Over 90 forest rights groups writes to PM

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Press Trust of India | **New Delhi**



The groups pointed to a 2009 report submitted by the ministry to the Food and Agriculture Organization. | File Photo

Over 90 forest rights groups have written to Prime Minister Narendra Modi, alleging that the Union environment ministry is attempting to "subvert" the Forest Rights Act (FRA) and

demanding that Environment Minister Bhupender Yadav clarify his reported statement that the "FRA leads to forest degradation."

PTI reached out to the Ministry of Environment, Forest and Climate Change for comment. A response is awaited.

The groups, comprising Chhattisgarh Bachao Andolan and Himdhara Environment Research and Action Collective of Himachal, among others, said in their June 28 letter, copies of which have been sent to the National Commission for Scheduled Tribes (NCST) and the ministries of Environment, Tribal Affairs and Social Justice, that Yadav, in a statement published in a newspaper on June 5, "cited titles granted under the FRA as a reason for forest degradation."

They called the statement "false, misleading, legally untenable and an attempt to undermine the legitimacy of the FRA."

They alleged that it is part of a "consistent series of subversion" by the environment ministry, which, along with the forest bureaucracy, has "stiffly resisted and disrupted" the implementation of the FRA for the last 16 years.

The groups pointed to a 2009 report submitted by the ministry to the Food and Agriculture Organization (FAO), which said that the FRA had assigned rights to protect approximately 40

million hectares of community forest resources to village-level democratic institutions and that other forest-related laws needed to be fine-tuned in light of the Act.

Citing data presented by Yadav in the Lok Sabha on August 7, 2023, the groups alleged that while the minister blamed the FRA, tribals and other forest rights holders for forest degradation, he "conveniently overlooked" the fact that the ministry itself allowed the illegal diversion of over 3 lakh hectares of forest land since 2008 for non-forest activities, leading to deforestation and without complying with the FRA. They further alleged that the ministry submitted legally untenable data on encroachments in Parliament and the National Green Tribunal.

The letter claimed that the ministry makes no reference to the FRA or its statutory body, the Gram Sabhas.

According to the law, the rights of forest dwellers recognised and vested under the FRA must be determined, demarcated, recognised and recorded. Only after this process is completed can the extent of encroachment be determined and, subsequently, eviction proceedings be initiated under state laws. The FRA prohibits eviction under Section 4(5) without satisfactory completion of this process.

The groups also alleged that the National Tiger Conservation Authority, on June 19 last year, ordered the expedited relocation of 64,801 families from core areas of tiger reserves, in "complete violation" of the FRA, the Wildlife Protection Act of 1972 and other applicable legal frameworks.

They claimed that this has increased the risk of displacement, forced evictions, curtailment of rights and criminalisation of forest dwellers, pushing many into states of economic and social insecurity across the country.

The letter also pointed out that the "India State of Forest Report 2023," published by the Forest Survey of India, blamed titles issued under the FRA for negative changes in forest and tree cover.

The groups expressed concern over recent amendments to the Forest Conservation Act, 1980 (now renamed Van Sanrakshan Evam Samvardhan Adhiniyam, 1980), which were passed despite strong opposition from constitutional bodies like the NCST, scientists, conservationists, forest rights groups and forest-dwelling communities. They warned that these changes would "adversely impact India's forest and ecological security".

The groups urged the prime minister to immediately halt what they termed as the environment ministry's attempts to subvert the FRA.

They also demanded that Yadav publicly clarify and withdraw his statement linking the FRA to forest degradation and that the ministry immediately inform the Supreme Court and the NGT about the legal status of forest encroachments under the FRA, clearly stating that no action on encroachment can be taken until the FRA implementation process is complete.

(Only the headline and picture of this report may have been reworked by the Business Standard staff; the rest of the content is auto-generated from a syndicated feed.)

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