

# **EVALUATION REPORT**

## **National Adivasi Alliance programmes 2013-2015**

---

**Mr Sharat singh  
Dr Ranju H Sahoo  
Dr Jagdish K. Purohit  
Mr Rajendra Prasad**

## **Acknowledgements**

A long advocacy for rights of tribal led to enactment of a very progressive act in the parliament of India to recognise their traditional, cultural and economic rights over forest. Though it was the priority of the government of India to implement the FRA 2006 so that the forest dwellers could access the individual and community rights over the forest resources but many factors impaired the effective and efficient implementation process. Although the forest dwellers had customary and historical claims to dependence on the forest for their livelihoods, as compared to individual rights claims, community rights claims accessed are significantly low across the country, the condition is same even in the areas where the evaluation was conducted.

Siemenpuu foundation initiated a participatory evaluation to understand the implementation of the FRA in the project areas of covering nine states across the country. The findings of this evaluation will be useful in guiding the future programmatic phase and to strengthen the implementation process.

We express our heartfelt gratitude to the communities of all the villages we visited at odd hours, we appreciate their patience and for vast knowledge they shared with us to help us understand the various issues in accessing FRA. We also thank all the Siemenpuu partners for their tireless support and for sharing the relevant issues relating to the implementation process. We felt enriched while visiting the partners and working with the team during the course of evaluation. We extend our gratitude to Siemenpuu India group who have been very supportive with their regular suggestions, more specifically to Kari Bottas who has been helping to put us together as a group and helping to coordinate with all the partners. I also thank my team members who have been sending reports, handling incisive questions and responding to the challenge even though they were immense pressure at personal and professional front.

The evaluation report might have missed out some points raised by the partner organisations, any error of omission or commission is totally unintentional.

### **Siemenpuu preface for the evaluation reporting**

The Siemenpuu Foundation has supported National Adivasi Alliance (NAA) work to strengthen the rights of Adivasis in forest dwelling, forest use and protection in accordance with Indian indigenous traditions. In defending the rights of adivasis, NAA takes advantage of the *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act*, passed in 2006. In case of many NAA members, their cooperation with Siemenpuu had started even before that.

The focus of this evaluation is on the Forest Rights Act (FRA) related activities among NAA members between 2013 and 2015. As written in the law itself, the intention of the law is to correct “historical injustice” inflicted on Adivasis and other traditional forest dwellers. This act of correction would not have been possible without strong involvement

of Indian civil society, with some support from the outside, too. For their part, many people and organisations presently involved in NAA had been working hard for this legislation to come true. The passing of the law was a victory for them as well. It can be assumed that none of those people working to see that to happen, could imagine how hard and long lasting work they had in front of them, in order to get those forest rights materialized. Now, after ten years, it seems that the work has barely started, considering how little of the potentiality of the legislation has been realized to date.

All these ten years have not just been spent waiting for a miracle to happen. It was known that the new legislation was creating a space for a dramatic shift in the balance of power in the governance of forests inhabited by Adivasis. There has been a lot of opposition for this change in power positions. There were some who had doubts whether Adivasis were capable of using wisely the power potentially given to them. Some saw that the new legislation would stop the industrial development of Indian forest areas, rich in minerals and other natural resources. And then there were those, who were afraid of losing the financial profits gained by exploiting the “illegal” (or legally not recognized) occupation and existence of forest dwellers in their ancestral lands. The end result of the earlier state of affairs had been, among other consequences, an estimated 30 million Adivasis displaced from their lands after Indian independence.

During the last ten years the NAA member organisations have worked hard for more effective implementation of the FRA. The primary intention of this evaluation is to bring out lessons to be learned from all that work, in order to help all those involved to be stronger in their future involvement. Hopefully all of us will make use of the potentiality of this work as fully as possible. We all, both in NAA and the Siemenpuu Foundation, do realise that there is a need to be alert all the time. The lessons learned today will most likely be just footnotes in history books of tomorrow. So, one urgent task in front of us is figuring out ways how the evaluation of the process and its impacts can strongly be inbuilt in the process itself to give guidance for the future, and for the ways how the Siemenpuu Foundation funded projects will be implemented in coming years. Paying constant attention to the effectiveness of the work done is also important in the face of strained access to public development funding in Finland and elsewhere.

Anyway, this exercise of evaluation can be considered highly important. The importance is not only found through the written word of the report, but also through all the steps the evaluation team, NAA members and the Siemenpuu Foundation have taken to reach here. The supportive NAA self-appraisal process with field visits and related meetings, the discussions in the three zonal evaluation meetings and in the debriefing meeting in Raipur in December 2015 have all been part of a fruitful process, which has brought out a wide array of facts, thoughts, opinions and ideas. All of them have left a smaller or bigger mark in those people and organisations involved.

The Siemenpuu Foundation would like to give its sincere thanks to the whole evaluation team for their hard and remarkable work done. Well done, Dr Ranju H. Sahoo, Mr Rajendra Prasad, Dr Jagdish Purohit, and Mr Sharat Singh! We would also like to express our deepest gratitude to all the NAA and Adivasi community representatives, who gave their time and other support for the whole process. They are the ones who are doing the hardest part in undoing the historical injustice done to Adivasis and other traditional forest dwellers.

## **List of abbreviations**

AP: Andhra Pradesh  
ASM: Adivasi Samta Manch  
BIRSA: Bindrai Institute for Research Study and Action  
BKS: Budakattu Krishikara Sangh  
CAMPA: Compensatory Afforestation Fund Management and Planning Authority  
CBO: Community Based Organisation  
CFM: Community Forest Management  
CFR: Community Forest Resources  
CG: Chhattisgarh  
CORD: Coorg Organisation for Rural Development  
CSD: Campaign for Survival & Dignity  
DC: District Collector  
DLC: District Level Committee  
FCRA: Foreign Contribution Regulation Act  
FD: Forest Department  
FGD: Focused Group Discussion  
FRA: Forest Rights Act  
FRC: Forest Rights Committee  
FSI: Forest Survey of India  
GPS: Global Positioning System  
IFA: Indian Forest Act, 1927  
IFR: Individual Forest Right  
IGNOU: Indira Gandhi National Open University  
INDC: Intended Nationally Determined Contribution  
IPR: Intellectual Property Regime  
ITDP: Integrated Tribal Development Programme  
JFM: Joint Forest Management  
JFMC: Joint Forest Management Committee  
JFPM: Joint Forest Planning and Management  
JJBA: Jharkhand Jungle Bachao Andolan  
JJVS: Jagran Jan Vikas Samiti  
JSY: Janani Surksha Yojana

LAMPS: Large Sized Agricultural Multi-purpose Cooperative Societies  
LSM: Lok Sangharsh Morcha  
MFP: Minor Forest Produces  
MGNREGA: Mahatma Gandhi National Rural Employment Guarantee Act  
MKSP: Mahila Kisan Sashktikaran Pariyojana  
MoTA: Ministry of Tribal Affairs  
MP: Madhya Pradesh  
MSP: Minimum Support Price  
NAA: National Adivasi Alliance  
NGO: Non Government Organisation  
NRLM: National Livelihood Mission  
NTFP: Non Timber Forest Produces  
OTFDs: Other Traditional Forest Dwellers  
PESA: Panchayati Raj Extention to Scheduled Areas Act  
PIA: Project Implementing Agency  
PRI: Panchayati Raj Institutions  
PVTG: Particularly Vulnerable Tribal Group  
R&D: Research and Development  
REDD: Reducing emissions from deforestation and forest degradation  
RSBY: Rashtriya Swasthya Bima Yojana  
RTI: Right to Information  
SC: Scheduled Caste  
SDLC: Sub Division Level Committee  
SF: Siemenpuu Foundation  
SHG: Self Help Groups  
SLMC: State Level Monitoring Committee  
ST: Scheduled Tribe  
TN: Tamil Nadu  
TSP: Tribal Sub Plan  
VRDP: Village Reconstruction and Development Project  
VSS: Van SurkshaSamiti

# Contents

Acknowledgements.....	i
List of abbreviations .....	iii
1 Executive Summary .....	2
2 INTRODUCTION .....	7
2.1 National Adivasi Alliance – Siemenpuu Cooperation .....	7
2.2 National Adivasi Alliance network.....	7
2.3 The legislation-Forest rights Act: .....	8
3 The evaluation Exercise.....	10
3.1 Evaluation team .....	10
3.2 Evaluation Methodology: .....	10
3.3 Project holder's participation in the evaluation.....	12
3.4 Challenges of the evaluation.....	12
4 Present status of the FRA implementation.....	14
4.1 Non Timber Forest Produce a key source of livelihood for the tribals.....	15
4.2 Upcoming challenges for FRA: .....	16
5 The NAA programme (2013-2015) .....	18
5.1 Actions taken up to achieve the objectives of the alliance: .....	19
5.2 NAA Composition .....	19
5.3 NAA-Siemenpuu cooperation.....	20
5.4 Zonal Alliance .....	21
5.5 Thematic alliances .....	22
5.6 FRA implementation work of the NAA and member organisations .....	23
6 NAA Programmes .....	26
6.1 South Zone.....	26
6.2 NAA West Zone.....	32
6.3 East Zone.....	38
7 Thematic Programme.....	45
7.1 Bamboo Work.....	45
7.2 Traditional Healers.....	48
7.3 CFG or Community forestry governance: .....	49
7.4 Shifting Cultivation.....	50

8	Prospective Plan for NAA-Siemenpuu Cooperation .....	54
8.1	Key strengths and weaknesses of the NAA partners.....	54
8.2	Goals and objectives for coming programme phase .....	55
8.3	Long term perspective: .....	55
8.4	Short term:.....	56
8.5	Criteria and standards for monitoring FRA work, and procedure .....	59
8.6	Implementation .....	60
8.7	Reporting of the project results:.....	60
8.8	Operational context in the FCRA implementation .....	61
8.9	Coherence with the work supported by other funding organisations .....	62
8.10	Suggestions related to Siemenpuu funding policy .....	63
9	References: .....	64

### **List of Tables**

Table 1	Schedule chalked out for Evaluation.....	11
Table 2:	List of the on-going projects (April 13 to March 16) as follows .....	13
Table 3:	Status of claims as per the MoTA web site of the states where NAA is active.....	14
Table 4	Alliance member groups/ organisations .....	20
Table 5:	Progress of FRA implementation .....	33
Table 6:	Brief snapshot of the projects in eastern region .....	38
Table 7	Functional Area of the thematic programmes .....	45

# 1 Executive Summary

NAA has done a commendable work for implementation of FRA among many tribes like Bhil, Meena, Vasava, Kathodi, Kotwaria, Baiga Paradhi, Kamar, KutiaKondh, Jenukurumba, Hasaluru, Marati, Paniya, Irula, Beta Kurumba and Paliyan tribes and other Traditional Forest Dwellers of nine states of India with the assistance of SF. Our observation in all the three zones is varied in connection to organization of Gram Sabha. NAA partners has worked well in bringing awareness to key stakeholders of grass root level regarding the power and function of Gram Sabha.

**Focus on traditional tribal political/ social structure;** In all the zones we found there are traditional tribal structure be it *Patel and Chokhala* of meena tribe of West Zone or Jani or Dishari of East Zone or *Chemi Koima* of Paniya community or *Megalan* or *Mupa* and *Mupati* of Beta Kurumba or Irula tribe of Kerala or *Hadi Yajamana* of Hasaluru tribes of Karnatak state, we came across the traditional tribal political structure. In Bastar, Chhattisgarh the traditional political structure of *Pargania Majhi* and *Chalki* still exist to carry on the affairs of the tribe. In long term perspective NAA should focus for the renovation of these mechanisms to comply with the modern structure of the villages for a long term success of FRA. Educating these traditional tribal leaders would have long term effect on successful implementation of FRA. NAA should bridge the gap between the young and old by focusing on leadership building capacity for both the traditional Tribal political and social structure.

**To build up a group of leaders from their own community:** One of the long term perspectives of NAA is to build up a group of leaders from the tribal community so that a scope should be there for them to have a place in the FRC, SLDC, DLC and SLMC. It is heartening to see the development of the leadership capacity in K.N.Bittal, a tribal leader from Hasaluru community in the district of Kodagu has become the member of SLMC in the state of Karnataka. Development of leadership capacity will help them to understand the proper functioning of Gram Sabha and other functioning of SLDC, DLC and SLMC respectively.

**To empower tribal women through gender sensitization programme:** For gender sensitization there should be two long term perspectives - Gender aspects of FRA and zero tolerance to gender discrimination in organizational level and NAA as a whole. Interaction with women NAA partners it came to light about the women trafficking in Odisha, sexual harassment cases in Kerala which have been brought to light by the NAA women partners and a subsequent legal fight for the protection of the dignity of the women was done by women NAA partners which is commendable.

**Special emphasis on Habitat Rights of the PVTGs group in NAA project areas:** It has been observed that Kathaodi, Katwalia of West Zone, Baiga, Kutia Kandha and Kamar of East Zone and Jenu Kurumba, Koraga, Paniyas and Kurumbas of South Zone come under PVTGs who are inhabiting in NAA Zones. It has been mentioned in Amended FRA 2012 that -DLC shall in view of the different vulnerability of the of PVTGs as described in

clause (e) of sub section (i) of section 3 amongst the forest dwellers ensure that all PVTGs should receive habitat rights in consultation with the concerned traditional institutions of that PVTGs and their claim for habitat rights are filed before the Gram Sabhas, where necessary by recognizing the floating nature of their gram sabhas. NAA should focus on getting habitat rights of the PVTGs as one of its long term perspectives. Baigas of Chhattisgarh have their own traditional village boundary '*medochanda*' which can be taken as a strong proof for getting habitat rights.

**IFR Rights to OTFD:** It has been observed in different zones that the Other Traditional Forest Dwellers are facing great difficulties in getting the IFR due to their inability to show the proof of 75 years residing in the forest. The occupation of forest land should be prior to December 13, 2005 as per Section 4 (3) of the Act which stipulates the condition of occupation of forest land for recognition and vesting of forest rights. This condition does not differentiate between forest dwelling STs and OTFDs. NAA should act in long term perspective to get these rights of OTFD.

**Compliance of NTFP provisions of State law with PESA and FRA:** It has often been observed that non-compliance of provisions of NTFP of state law with PESA and FRA acts as a barrier for proper implementation of NTFP as a sustainable livelihood for the forest dwellers. Hence, NAA should work for the compliance of the state law with the above mentioned Acts.

**Awareness for CFR among the Forest Dwellers:** Feedbacks from the field and discussion revealed that CFR claim is not vigorous among the forest dwellers due to many reasons. Looking to the other factors like mining activities and land acquisitions for development programmes which is a threat to the life and livelihood of the tribes, it is but inevitable to work faster for the CFR of the tribes as well as the forest dwellers. NAA should organize the awareness programme as well as facilitates the CFR of the tribes.

**VSS and JFM and FRA interface:** It has been observed from the discussion of West Zone meeting and the feedbacks from NAA partners of other Zones that, VSS and JFM undermine the activities of FRC. Hence, it is suggested that after the CFR, NAA should facilitate the formation of committee for Community Forest Governance, so that the resource management can be done by the community members themselves. It would undermine the power and activities of VSS and JFM. JFM totally should not be allowed in the Adivasi areas. Through JFPM Forest department is trying to control the Adivasis and continue to exploit & enjoy the power. Even central government minister itself nullified JFPM.

**Identification of hamlets or settlements and process of their consolidation:** Except Karnataka the NAA in the states of Tamil Nadu and Kerala should take a lead role in facilitating the process of the consolidation of Hadis and hamlets by coordinating at the Panchayat level. One of the long term perspectives of NAA south Zone should be getting the Fifth Schedule implementation in Tamil Nadu and Kerala where in the tribal villages, panchayats and blocks good numbers of tribal people living (more than 50%) have been divided into small hamlets or villages and the population have been scattered into various villages / panchayats making them minority in many panchayats.

**FRA in vernacular language first and tribal language next:** In the state of Tamilnadu, FRA book in vernacular language has been distributed to the tribal leaders. This good practice should be followed for long term perspective. JJBA, KOVEL foundation and VRDP and CORD have brought the FRA book in Hindi, Telugu and Tamil and Kannada respectively. The next steps for NAA with the collaboration of Centre for Indian Languages, Mysore should bring the book in Gondi, Kuvi and Tulu and other related tribal language in NAA administered areas that would have wide impact on awareness generation on FRA.

**FRA and national park interface:** It has been observed that PVTGs like Jenu Kurumba are evicted in Karnataka from their habitat because of Nagarhole National Park. National Park also exists in Baiga habitat of Chhattisgarh. NAA should keep in its agenda to work for the FRA of forest dwellers of National Park and a working plan to see if the resettlement meets not only compensation money but a secure livelihood. CORD and its partners in South Zone are working for rights of the affected PVTGs tribe. They should in a long term basis provide their experiences and expertise to other NAA partners of other zones how to protect the rights of the tribes who inhabits in such area that affect their life and livelihood.

**National advocacy for implementation of PESA, 5th Schedule in South Zone:** Already national level campaign organizations and platforms are there, the partners from different zones should commit to participate in the campaigns and advocacy. State level campaigns are taking place interstate level campaigns should be encouraged on common adivasi issues.

**The youth camps:** It would be very important to arrange camps for the youth of different villages, where workshops in connection to traditional skills, singing, music, dance etc. should be organized for developing a sense of cultural identity among them. Women empowerment is based on educating and awareness development of the women. NAA east Zone and partner from Kerala should be given the platform to organize the women camp and a permanent women cell in East Zone to deal with the gender and FRA related issues. Camps for Traditional healers from NAA partners for a couple of days should be considered for exchange, learning and communication that would also promote JJVS's networking connected to thematic national natural healing tradition.

**Circulating school of Adivasis for language skills:** "NAA Adivasi School" with vernacular languages and mother tongue would play a great role for communication and help for the translation purpose. The NAA Adivasi School will surely help the Tribal youth for greater communication. The young Adivasis, coming from different areas of the NAA cooperation, could go around NAA's cooperation areas as groups and with a few teachers.

**Post FRA action** – it seems already forest land have become degraded or unhealthy so to make it healthy, we should encourage Adivasi communities to rejuvenate the forest with local traditional species of fruit yielding trees, fodder and leaf contributing grass, plant and trees which will take care of the food requirement of both animals and human beings. Organic farming methods should be encouraged.

### **Thematic aspects:**

**Shifting Cultivation** :Since some of the important aims of thematic on shifting cultivation is to work for Rights to customary community land tenures of PVTG communities for habitat, habitation, livelihoods, social, economic, spiritual and cultural purposes and secondly, Community's right to regenerate, conserve or manage community forest resource and biodiversity as it has traditionally protected and conserved for sustainable use, third to protect and sustain the wild and cultivated indigenous biodiversity and its customary sustainable use as adapted to local forest regeneration through the customary land tenure and its traditional occupation NAA should in its long term perspective work for the attainment of the objectives. This thematic aspect is also associated with the long term perspective to work for the habitat rights of the PVTGs which not only would fulfill the right to life and livelihood. The long term holistic approach by NAA partner to achieve the objectives shall be able to face the challenge of mining and thereby the threat of eviction of one the Vulnerable tribes of India. One important thing may be mentioned here that the model of work of KutiaKandh may be extended to Baiga habitat who also fall under the PVTGs of Chhattisgarh having similar traditional occupation and similar threat of eviction due to mining and national park concept in their habitat.

**Bamboo work:** Thematic work on bamboo workers has a great effect on inculcating a sense of identity among the community who are associated with this traditional occupation. In Chhattisgarh the tribal communities like Pardhi/ Nahar, Kamar, Kandara and Gond. In Jharkhand Mohali, Turi and Ganda community, In Gujarat- Katwalia, in Karnataka Beta Kurumba, Megaha and Asuria etc., Hunting is iconic to the culture of Pardhi tribe of Chhattisgarh whose livelihood is greatly associated with bamboo work. NAA should work on long term perspective for the regeneration of the traditional livelihood that has brought to the community from different part of the country into common platform to fight for bamboo as a CFR.

**CFG as long term perspective:** Since rights and management are interlinked, thematic agenda deals with Community Forest Governance (CFG) which many people do not know. Hence, it is very important to make community members aware and train to work for CFG. JJBA of East Zone can lead NAA for such type of training and awareness generation among the community members.

**Traditional Healers:** A collaboration with Ayush and an effort for the long term perspective for the patent and IPR of the community who practice traditional healing.

**Theater / Culture Vis a Vis Awareness:** Cultural expressions are always possible by a group of artists and group of audiences. How they join each other that is the process. That is a political process which we search for to have a social change. So NAA must undertake regular cultural activities as a major component in our social changing process. Natya Chetana is ready to undertake leadership for such a theme and try to set example within a social changing movement among NAA and beyond in general on behalf of Adivasi Community. It has tremendous latent effect on awareness generation on FRA and it should be facilitated. Without a group dynamism, theatre is not possible.

### **What has worked well in the process of implementation of FRA by NAA**

1. Developed a sense of identity among the tribe
2. Make aware about their rights both fundamental and constitutional rights
3. By getting the rights both IFR and CFR the tribal communities are aware about their right to life and livelihood
4. Development of leadership capacity
5. Women empowerment
6. Knew how to plan and manage their own resources

### **Without the intervention what would be the scenario**

1. NAA would not have come together under a common platform
2. During a great identity crises of the tribe, SF inculcated a sense of identity and a sense of pride for their traditional knowledge system.
3. Know about the rights of community and how to protect the rights through constitutional provisions.
4. Strong Networking with many parties, people form grassroot level, NGOs and Government departments and decision making bodies including judiciaries and legislative bodies of the state and countries.
5. Plays a vital role in building the leadership capacities among the tribes.
6. Have national and international exposures and sharing of the news both ways.
7. Able to make forums for advocacy
8. SF has taught them how to work with democratic principles
9. Got IFR and got direction and guidelines how to work for CFR and CFG, the basic path to lead a dignified life.
10. NAA partners 's understanding and thought has developed in right direction
11. Their thought and understanding on local, Zonal and national level has increased manifold due to learning, communication and exchange programme with NAA partners.
12. A clear understanding and thought has led to work for successful implementation of FRA and even the political leaders sometimes approached them for guidance.
13. All these things have acted as an impetus to work with less flaws for implementation of FRA and set a further goal of CFG which is a duty and goes beyond FRA

## **2 INTRODUCTION**

### **2.1 National Adivasi Alliance – Siemenpuu Cooperation**

The Siemenpuu Foundation was founded in 1998 by Finnish environmental and development policy NGOs. The objective of the Siemenpuu Foundation is to promote environmental protection, defend human rights and promote democracy, as well as to support cooperation between environmental civil society movements from different continents. Conveying of and learning from the experiences in the South is a central part of the Foundation's work.

Siemenpuu's support to NGOs in developing countries focuses on sustainable use of natural resources and strengthening the democratic decision-making mechanisms serving natural resource management. The projects supported emphasize, alongside the environmental and climate themes, empowering the communities, creating ecologically and socially sustainable practices and supporting civil society.

Siemenpuu has eight ongoing cooperation programmes through which financial support is mainly channeled. The cooperation programmes aim at long-standing cooperation with Siemenpuu's partners from the South, while emphasizing interaction based on equality. The content and practices of the programmes are developed together with each cooperation partner.

The Adivasi cooperation programme of SF aims to strengthen the rights of Adivasis in forest dwelling, forest use and protection in accordance with Indian indigenous traditions. In defending the rights of adivasis, the programme takes advantage of the Forest Rights Act passed in 2006.

The Siemenpuu is implementing a programme in cooperation with the National Adivasi Alliance network (NAA), which aims at strengthening the autonomy and cultural heritage of Adivasi communities and preventing displacement and environmental threats faced by the communities. The projects carried out by the NAA network and its membership organisations advocate the implementation of legal forest rights of the Adivasi communities and strive to invigorate sustainable, self-sufficient models of village community life, for example community forestry and traditional healing.

All the projects have special characteristics of their own. However, all of the NAA projects include elements related to FRA 2006 implementation. The only exception is Natya Chetana in Odisha. The project does not have direct FRA 2006 implementation support element but focuses on bringing change through drama.

### **2.2 National Adivasi Alliance network**

National Adivasi Alliance network works in nine states of India for the rights, livelihoods and culture of Adivasi forest communities. NAA members try to defend the rights of Adivasi villages by the local level activity, but since the undermining is often as a result of

local, regional or policy factors, so wider zonal and national level Adivasi efforts are also needed. As there are many Adivasis who have interest to build common action to defend their rights, it is important to support their opportunities, and to ensure that they get to know equally that there is support available by which interested Adivasis can come together to initiate, plan and implement their collective activity. Adivasis and forest dwellers need thus to come together and address their different common rights and issues.

The National Adivasi Alliance works closely with National Adivasi Andolan (a people movement). The members in the Adivasi Andolan are local adivasis who are striving hard to access their rights and also support others in their community to do the same. Since NAA had adivasi way of life as one of its focus, so the common threads across regions were focussed as thematic programme. Siemenuu Foundation provides funding support for the local work of NAA member groups and their regional and national cooperation - including thematic cooperation on five themes of community forest governance, bamboo work, shifting cultivation, traditional healing/knowledge and community rights on minor forest produce.

NAA network was formalised in 2006 and the activities related to forest rights, including campaigning for the passing and implementation of the specific legislation, have been in the centre of its work as a network.

### **2.3 The legislation-Forest rights Act:**

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, is a key piece of forest legislation passed in India on 18 December 2006. It has also been called the Forest Rights and Recognition Act. The law concerns the rights of forest-dwelling communities to land and other resources, denied to them over decades as a result of the continuance of colonial forest laws in India.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (also called as Forest Rights Act- FRA), has the potential to transform the lives and livelihoods of hundreds of millions of forest-dependent people. In addition to the recognition of individual household-based rights, the FRA also provides for community rights over forests. The most important right under the FRA pertains to CFR rights which allow communities to protect and manage their customary forests. In combination with various community forests rights under the FRA, the CFR provision effectively democratizes forest governance in India, by providing sufficient legal powers to gram sabha (village assembly of all elders) to govern and manage forests

As the preamble to Forest Rights Act 2006, correctly states, this historic legislation was brought in and approved by the parliament, to undo the historic injustice meted out to Scheduled Tribes and other Traditional Forest Dwellers who were for generations, living in and around forest and had been heavily depended on forest for their livelihood needs.

Actually FRA 2006 is not only about giving "Title rights" to those who have occupied forest land for their livelihood needs. As per the preamble to the Act, the basic objective is about giving the forest dwelling communities "the responsibility and authority for

sustainable use, conservation of biodiversity and maintenance of ecological balance and there by strengthening the conservation regime of the forests while ensuring livelihood and food security”. The rights can be summarised as:

- Title rights - ownership to farm land of tribals or forest dwellers as on 13 December 2005, subject to a maximum of 4 hectares; ownership is only for land that is actually being cultivated by the concerned family as on that date, meaning that no new land are granted
- Use rights - to minor forest produce (also including ownership), to grazing areas, to pastoralist routes, etc.
- Relief and development rights - to rehabilitation in case of illegal eviction or forced displacement; and to basic amenities, subject to restrictions for forest protection
- Forest management rights - to protect forests and wildlife
- So FRA 2006 is ushering in a new way of forest governance. So far forests were governed and managed by Forest Department alone. Now people who are depended on forests for their livelihood needs will be the main actors in management and conservation of forests. The Act acknowledges that forest dwellers are “integral to the survival and sustainability of the forest Ecosystem”.

## 3 The evaluation Exercise

An evaluation was undertaken

- to get deeper understanding on the social and operational context of the FRA implementation support work by Indian civil society and specifically by National Adivasi Alliance
- to assess the nature and relevance of the FRA related work of the National Adivasi Alliance (NAA) member groups, both individually and collectively, funded by Siemenpuu and others
- to bring out the achievements of the Siemenpuu funded projects and the lessons learned based on them
- to assess the strengths & limitations of NAA as network in context of FRA related work

### 3.1 Evaluation team

The evaluation team comprised of professionals from different fields of expertise,

- a) Team leader – Dr Ranju Hasini Sahoo
- b) Evaluation leadauthor - Mr Sharat Singh
- c) Evaluation team members - Mr Rajendra Prasad and Dr Jagdish K. Purohit

### 3.2 Evaluation Methodology:

Since the four evaluation team members had specific roles and had not worked together as a team before, therefore the first process was to have an inception meeting for the four evaluation team members and Siemenpuu India Group members joined the meeting through Skype. The process to be followed was discussed and detailed during the meeting and a timeline was prepared. The methodology for the evaluation was very participatory for all the stakeholders especially the implementation partners.

#### Methodology adopted

1. Document review: to understand the need of NAA, Purpose and the process designed for the forum
2. Facilitate the self-appraisal process for at zonal and partner level (output from this formed the core of the process)
3. Visits to project locations of all the sample partners (a sample size of 7 partners- 1 from west zone, 2 in south and 4 in east zone) and participatory exercises for evaluation. (relevant documents to be collected from the partners)
4. Meeting at sample partner level for looking at project management
5. Three zonal consultations- for sharing of self-appraisal reports and also participatory evaluation of zonal and thematic programmes

6. A debriefing meeting – The primary results and observations of evaluation exercise was shared by evaluation team and feedback from partners, SF representatives and advisory group will be taken to prepare the report.

### Aspects covered during the field visits

- a. Observe at the organisation level
  - the project management
  - the processes followed (institutional/ within the community)
  - project output/outcomes - qualitative / quantitative
- b. Community level – their awareness and capacity building, communities participation in decision making, leadership roles, claiming control over local resources, access of rights, strengthening of local governance, management of local resources
- c. Local leadership level – roles & responsibilities towards community, handholding support to community members, interventions in management functions, facilitation in right claiming and exercising rights, rapport with local functionaries. (Process followed- individual interview, FGD and participation as observer in village meeting)

It was decided that a checklist on each processes will be prepared

1. Project cycle management and organisation development
2. Focussed group discussions (FGD)
3. Social and gender equity aspects and women leadership
4. Interview
5. Meeting observations

The team also used selective PRA techniques in regards to awareness and adaption level, community history of cooperation and activities which helped them to solve challenges in the past successfully, underlying challenges in claims, progress and distribution of individual and community claims addressed, to understand the effectiveness of related departments and committees; and gender issues analysis. For the partner and target group assessments, five participatory tools were introduced; six Thinking Hats; Awareness matrix, Challenge matrix, Trend change, Venn diagram, field visits and consultation meetings. Hands on experience with the tools allowed evaluation team and participant reciprocal learning. Looking at various factors i.e. available time period, task to be accomplished and evaluation team members' availability following schedule was chalked out:

**Table 1 Schedule chalked out for Evaluation**

Self-Appraisal of west zone	Rajasthan, Gujarat & MP	10 – 29 Oct 2015
West zone meeting & Field visits	Udaipur	30 Oct to 1 Nov.
Self-Appraisal of East zone	Odisha, Jharkhand, Chhattisgarh	20 Oct to 10 Nov
East zone meeting & field visits	M Rampur	13 – 16 Nov
Self-Appraisal of south zone	Karnataka, Kerala, TN, AP	1 – 20 Nov
South Zone Meeting & field visits	Mysore	25 – 29 Nov
Field visit to Bastar	Bastar	4 Dec

Debriefing Meet	Raipur	5-6 Dec
Finalisation of field notes by team		
Submission of report		

The zonal self-appraisal process was very crucial and it was expected of the self-appraisal team to discuss in details the issues, challenges and way forward. They also shared individual interviews, case study, news clipping and videos. The self-appraisal reports also shared of the context- communities, their capacity in terms of collective strength, leadership, negotiating skills to manage common resources and to solve their problems both at community & regional level.

An advisory group for the evaluation was formed. Based upon the discussion a structure for the advisory group was decided

1. Representatives from SF
2. Zonal co-ordinators from all the three zones
3. Evaluation team members

### **3.3 Project holder's participation in the evaluation**

The partners and their staff took an extraordinary interest in the evaluation. Therefore, the process has been a smooth and the learning reciprocal and the community in all the villages took an active part as well. The implementation of this evaluation as a participatory learning process for the partner was only possible because of support from Siemenpuu Foundation.

### **3.4 Challenges of the evaluation**

There were a few challenges that was faced by the evaluation team they are- very widespread coverage area, multiple dialects, a very diverse number of communities, insufficient number of field visits and time period at the visiting site to have adequate interaction with the communities. In few villages it was challenging to have a transparent dialogue as there were instances when the watch and wards which were of the same community dropped in at the evaluation site, a few times the participants had to take detour in the conversation because of their presence.

Inadequate secondary data on individual and community right claims in the NAA projects to have a comprehensive perception of the FRA implementation initiatives. Whatever data is available is out-dated and the updated data was not accessible. The time limitation was a challenge as it coincided with festival seasons.

FRA specifically mentions two categories of people the Other Traditional Forest Dwellers (OTFDs) and Schedule Tribes for forest rights. The study has not undertaken the study of caste composition. Though there were both of these categories present during evaluation the majority of the participants were from the Schedule Tribes. The planned number of villages could not be visited due to time constraints. The majority of the people covered are from the tribal communities. Except Tamil Nadu in all other states there was both the gender were equally represented among participants in discussions.

**Table 2: List of the on-going projects (April 13 to March 16) as follows**

<b>Applicant</b>	<b>Title of the proposal</b>	<b>Grant €</b>
AAS / VOICE (SZ)	Strengthening livelihood aspects of Adivasi in through FRA	27500
ASM (EZ)	Indigenous Rights and Forest regeneration and protection in Chhattisgarh	27500
BKS/CORD (SZ)	Empowering Adivasis through Community Rights and Community Resource Management	27500
CAFAT / Humane Trust (SZ)	Ensures and protects their Traditional & legal rights through collective action in 4 districts of W. Ghats section of Tamil Nadu	27500
Samruddi (SZ)	Adivasi's Livelihood Sustainability Through Forest	27500
Devote Trust (EZ)	Continuation of Adivasi Livelihood Development Project	27500
DishaSamajSeviSanstha (EZ)	Empowering the tribal communities to exercise community forest rights, claim benefits of rehabilitation	27500
JJBA (EZ)	Jharkhand Jungle BachaoAndolan (JJBA) NAA Project	27500
JJVS (WZ)	Forest Right Implementation Program 2013-16	27500
Samruddi (SZ)	Empowering Adivasis for Sustainable Development	27500
NatyaChetana (EZ)	Break the Silence and Get a Platform to Artists Projecting Adivasi Issues	27500
Paribartan (EZ)	Strengthening Tribal participation in sustainable management of forest, reserves and water resources	27500
Parivartan (EZ)	Protect Livelihood Rights and Dignity in Bastar Division 2013-16	27500
SebaJagat (EZ)	Continuation of Adivasi Traditional Rights and Livelihood Programme	27500
VRDP / TAFSC (SZ)	Campaign for Self Rule and Land Rights of Tribal Communities 2013-16	27500
CORD (thematic)	Campaign for Adivasi Rights Assertion and Empowerment	42000
SebaJagat (EZ)	Strengthening Advasi Socio-Cultural Co-operation of NAA East	18600
JJVS (WZ & joint thematic)	National cooperation on traditional healing/knowledge and zonal cooperation on community rights	42000
Parivartan (thematic)	Strengthening the Bamboo Workers to Preserve, Regenerate, Sustain the Traditional Occupation	23000
BIRSA (joint thematic)	BIRSA-NAA Community Forest Governance Thematic Programme	23400
Devote Trust (thematic)	Strengthening community forest rights of shifting cultivator communities	10300

(NAA programme zones: SZ=South zone; EZ=East zone; WZ=west zone)

## 4 Present status of the FRA implementation

As per the web site maintained by the MoTA (Ministry of Tribal affairs) till the end of October, 2015, 44,05,395 claims have been filed and 17,08,973 titles have been distributed under the Forest Rights Act, 2006. Out of these, 16,67,852 individual, 38973 community and 2148 CFR titles have been distributed, covering a total area of around 89 lakh acres of land.

These figures though seemingly impressive dwarf in front of the number and area of potential claimants. In one such study supported by Rights Resources Institute, Vasundhara and Natural Resource Management Consultants it has been suggested that “at least 40 mha of forest lands are eligible for CFR rights recognition across the country. This estimate includes 32.198 mha of forest land identified by the Forest Survey of India (FSI) 1999 as located within village boundaries and at least 8 Million hectare of community forests in North-Eastern States, but not forest areas customarily used by forest-dwelling communities lying outside revenue village boundaries. To that extent, this is a conservative estimate.

At least 150 million people, including almost 90 million tribals, live in communities which would benefit from CFR rights recognition. There are 120 districts, mostly located in the tribal areas of central India, where more than 40 percent of the population live in villages that have forest land and which are eligible for CFR rights recognition” The status of claims as per the MoTA web site is as below.

**Table 3: Status of claims as per the MoTA web site of the states where NAA is active**

	Claims Submitted		Claims approved		Claims Pending/rejected	
	IFR	CFR	IFR	CFR	IFR (%)	CFR (%)
Andhra Pradesh	400053	10959	167263	2107	58.19	80.77
Chhattisgarh	860364	17250	347789	8399	59.58	51.4
Gujarat	182869	7228	72970	3875	60.10	46.39
Jharkhand	80819	2734	41691	1434	48.41	47.55
Karnataka	366040	6208	8159	144	97.77	97.68
Kerala	36140	1395	24599		31.93	100.00
Odisha	602154	7754	349100	2910	42.02	62.47
Rajasthan	69121	654	34956	69	49.43	89.45
TamilNadu	184120	3361	3723		97.98	100.00
	<b>2781680</b>	<b>40293</b>	<b>1050250</b>	<b>10539</b>	<b>60.60</b>	<b>78.04</b>

The state level data reveals that the performance varies significantly among states both related to Individual claims and community claims. As indicated above the numbers of claim varies and it can be derived that still there are communities who are yet not benefitted and left out in the whole process. So the question arise, how to engage with these communities so that they can get their rights as envisaged under the act. The pendency/rejection of claims both individual and community is quite high and need

specific attention to resolve the bottlenecks and to ensure that the communities who deserve to get recognition of right over forest land can get benefitted. The state level figures shows that the rejection/pendency varies from 32% to 98%, hence the NAA members have to evolve strategies at state level to deal with the issues of rejection and pendency of claims. More emphasis is required on CFR as the number of claims made so far is yet not satisfactory and major section of forest dependent communities are yet not prepared/submitted the CFR claims, so how to facilitate the processes related to CFR become more important question for NAA.

#### **4.1 Non Timber Forest Produce a key source of livelihood for the tribals**

Tribals dependence on forest is quite intricate with non-timber produce playing an important part in their daily life. NTFP contributes to about 20% to 40% of the annual income of forest dwellers who are mostly disadvantageous and landless communities with a dominant population of tribals. It provides them critical subsistence during the lean seasons, particularly for primitive tribal groups such as hunter gatherers, and the landless. Most of the NTFPs are collected and used/sold by women, so it has a strong linkage to women's financial empowerment in the forest-fringe areas. In absence of a comprehensive national/central policy/approach, contradictory legal provisions still prevail while differential state regimes create some of the biggest limitations which constrain a healthy growth of the NTFP sector. PESA, 1996 gives ownership rights to local communities over MFPs whereas the regime created under Wildlife Protection Act doesn't. Bamboo, for instance, is defined as a 'minor forest produce' in the Forest Rights Act, 2006 whereas the Indian Forest Act, 1927 treats it at par with timber. There are other gaps at multiple levels- Policy (as mentioned above), capacity building; market linkages; R&D and Management (as the trade is impacted by many other factors as well)

NAA and its partners have been involved with supporting collection of MFP, promotion of tribal medicine for which much of the raw material comes from the forest. Even the thematic area of community forest governance stresses upon the need to manage forests in a manner that it could support the livelihood of the tribals, increase availability of MFP. A Centrally Sponsored Scheme "Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of Value Chain for MFP", has been launched during the year 2013-14 as one of the social safety measure for the MFP gatherers, who are primarily members of Schedule Tribe, by ensuring fair monetary returns for their efforts in collection, primary processing, storage, packaging, transportation etc.

Initially covering most produced and traded Minor forest Produce namely, Tendu, Bamboo, Mahuwa Seed, Sal Leaf, Sal Seed, Lac, Chironjee, Wild Honey, Myrobalan, Tamarind, Gum Karaya & Karanj. The scheme is implemented in the States having areas under Fifth Schedule of the constitution, namely, Madhya Pradesh, Chhattisgarh, Odisha, Jharkhand, Maharashtra, Gujarat, Rajasthan, Andhra Pradesh and Telangana.

Though there are reports that the Union tribal affairs ministry has revised its views to re-interpret the Forest Rights Act (FRA) and allow the Maharashtra forest department to get

control back over forest management and a grip on the lucrative trade worth millions in forest produce such as tendu leaves and bamboo. This might be replicated in other states as well.

#### **4.2 Upcoming challenges for FRA:**

The INDC climate plan presented by India during the Paris climate summit says “Over the past two decades progressive national forestry legislations and policies of India have transformed India’s forests into a net sink of CO<sub>2</sub>. With its focus on sustainable forest management, afforestation and regulating diversion of forest land for non-forest purpose, India plans to increase its carbon stock. Government of India’s long term goal is to increase its forest cover through a planned afforestation drive which includes number of programmes and initiatives like Green India Mission, green highways policy, financial incentive for forests, plantation along rivers, REDD-Plus & Other Policies and Compensatory Afforestation Fund Management and Planning Authority”

On the other hand it was reported in last year in one of the national daily<sup>1</sup> “The government is set to throw open the management of up to 40% of Indian forests to the private sector to revive degraded forests but experts warn it may destroy complex ecosystems and deprive local communities of a livelihood. The scheme will first be implemented on forests with less than 10% canopy cover and “based on the experience gained”, could be extended to forests with up to 40% cover The country has around 69 million hectares forest cover, out of which about 40% is categorised as open forests or scrubs” – which have less than 40% canopy cover” So reading both of them together there seems that the path for accessing rights over many of these areas which have been supporting tribal livelihood

In another recent development, the supreme court orders to vacate the stay on implementation of FRA in Tamil Nadu is a welcome step, but in the same case the court has asked other states to respond about the status of the rejected claims. The states have been given three weeks’ time to respond. The court has ordered that the claimant should be evicted if his claim has been rejected. If this is implemented would create lot of problems to those genuine claimants who could not substantiate their claims or who have even been denied a chance to appeal.

As per the recommendation of working group on ecosystem resilience of planning commission, in case the gram sabha or the community is not keen to take over management of JFM forests under FRA, or management claims are not accepted under FRA, the government should take suo moto action to place JFMCs under the Gram Sabhas. This will ensure that the members of the JFMCs are democratically elected by the Gram Sabha. We expect the government to make JFM where relevant more democratic and participatory, giving highest priority to the livelihood needs of the poorest.

The announcements of new inviolate zones especially critical wildlife habitats, sanctuaries and cases of government initiatives to reduce the CFR areas as in the Rowghat range areas, revoking of the rights as in the case of Kentebasan region, plantation on CFR land

---

<sup>1</sup><http://www.hindustantimes.com/india/govt-to-allow-pvt-sector-to-manage-40-of-forests/story-yOiG4TO4kA2kvykxXNTEBK.html>

by the forest department under CAMPA. These are some of the policy challenges, while there are many operational level challenges that have been observed during the course of evaluation.

## **5 The NAA programme (2013-2015)**

All over India including in the adivasi villages of the areas where NAA member-organisations work, the rights of adivasis are undermined. NAA members try to defend the rights of adivasi villages by the local level activity, but since the undermining result often also from wider structural causes, so wider zonal and national level adivasi efforts are needed. As there are many adivasis who have interest to build common action to defend their rights, it is important to support their opportunities, and to ensure that they get to know equally that there is support available by which interested Adivasis can come together to initiate, plan and implement their collective activity. Adivasis and forest dwellers need thus to come together and address their different common rights and issues. National Adivasi Alliance works to contribute to connect adivasis by national level cooperation of local activities of communities on their indigenous forest life issues including activities with following aims:

- Protect, preserve & regenerate Adivasi life, values, rights, habitat, livelihood & culture
- Promote Adivasi life & experience of nature as means against commodification of life
- Save the wild forest by Adivasi life and by Adivasi understanding of the forest and environment
- Create study & documentation by Adivasis and mobilisation to reinforce their understanding of life
- Initiate local and global dialogue and exchange on Adivasi experiences

To move towards achieving these objectives NAA has carried out following approach to be followed on challenges which cross-cut zones and thematic alliances and can be raised at national and international platforms through events, appeals, statements, memorandums, speeches, demands, public hearings and recommendations for the purpose that:

- NAA will be actively involved in campaign against displacement, eviction or migration of indigenous life, to protect it against the destruction of land, forest, water, their biodiversity and regeneration, against climate change and against mining, dams, forestry, tiger reserves, national parks/sanctuaries and other forms of land acquisition, commercial take-over, commodification or industrialisation in the name of development.
- NAA act to protect and promote community forests and rights of Adivasis to self-determined subsistence and traditional occupations based on customary sustainable practices of self-employed work and indigenous technology. Adivasis who lose their subsistence and cultural integrity of life have to be duly compensated ensuring proper education, secure income and jobs for present and future generations.
- NAA act to defend, sensitize and empower Adivasi women to continue their sustainable traditional life-practices which manage the land, forest, water and biodiversity. Also act to make these practices more widely applied through indigenous eco-community type experiments.

## **5.1 Actions taken up to achieve the objectives of the alliance:**

The aim is to empower adivasi to become self-reliant decision makers and assess activism within their norms, sensibilities, traditions and customary rights and to find more ways to support common activities of adivasis – through such dialogues or conclusions which can be also documented in different levels.

- protection of forest and forest rights of forest dwelling people with FRA implementation
- protection from human rights violations
- protection of traditional occupation/traditional & sustainable livelihood system
- protection of ecosystem, biodiversity and promotion of indigenous eco village
- protection of customary rights including cultural, spiritual rights and best practices
- protection & promotion of traditional & cultural knowledge and health system
- empowering indigenous & traditional self-governance system
- alliance & network with like-minded movement & struggle groups

## **5.2 NAA Composition**

### **General body**

NAA General Body consists of the NAA member-organisations and of the zonal and thematic representatives. The General body decides about the mutual cooperation of the members. NAA has once a year its general body meeting, where member groups are represented by two representatives one of them is woman, one man - and at least one of them is Adivasi/forest dweller. Also two Adivasi / forest dweller representatives - one woman, one man - from each zone and each thematic Alliance attend the General body meeting. Each of the mentioned representatives has one vote. All the zonal and thematic groups can invite one additional participant to attend these meetings.

### **NAA Core Teams**

NAA Core Teams follow the overall NAA Siemenpuu cooperation and make suggestions on its development. The core team can define roles of office bearers and prepare a term of reference for its functioning which would enable them to take off time bound action to gear up alliance and other actions. Core Teams can be elected by the general body from among the representatives of the member groups, of the zonal and thematic representatives and other independent Adivasi volunteers on the basis of their commitment to peoples' issues and to alliance building responsibilities, accountability and practical experience and on the basis of their readiness to give their time and energy for the alliance cause. To get the public, media and policy makers to address better the adivasi community issues.

It was envisaged that the core team play an important role in the planning and arrangements of the program regarding the annual general management, adivasisangma/Mela, participation on other events, networks and issue based/ international programme, mobility costs, south- south co-operation annual news bulletin and self-appraisal. In respect to these it needs some administrative support. These were the potential areas where active role was expected from the core team, but due to some issues it was not performed in the last three years.

## NAA Membership

Currently the Alliance member groups/ organisations include the following groups:

**Table 4 Alliance member groups/ organisations**

Zone	States	Member Organisation funded by Siemenpuu	Member Organisation non funded from Siemenpuu
South Zone	Karnataka	CORD	TEED
		Samruddi	
	Tamil Nadu	TAAK/TAFSC/VRDP	
		CAFAT/ Humane Trust	
	Kerala	Adivasi Aykya Samithi (AAS)	
	Andhra Pradesh		Kovel Foundation
		Dharitri	
East Zone	Chhattisgarh	Adivasi Samt aManch	
		Parivartan	
		Disha samaj sevi sanstha	
	Jharkhand	Save Forest Movement/BIRSA	JUDAV
	Orissa	Seba Jagat	
		Devote Trust	
		Paribartan	
		Natya Chetana	
North Zone	Rajasthan	Jagran Jan VikasSamiti	
	Gujarat		Lok Sangharsh Morcha
	Madhya Pradesh		Bread for Tribal Village
3 Zones	10 states	14 Organisations	6 organisations

### 5.3 NAA - Siemenpuu cooperation

The key activities taken up under the NAA-Siemenpuu cooperation are:

- Advocacy on community rights on sustainable forest use/management or conservation
- Practices to revive forest biodiversity regeneration to conserve the forest as source of life
- Build Adivasi dialogue to raise from Adivasi world view and Adivasi reality
- Activities & exchange of Adivasi culture and values as the bases of sustainable forest life
- Network meetings, participation, representation, international cooperation

As per the guidelines for the NAA-Siemenpuu Cooperation following functional arrangement were worked out, however these were not fully followed in practice during last three:

- Democratic & collective decisions making
- Adivasi participation on planning & decision making at every level.
- Involvement of volunteers and activists on the basis of their commitment
- Women participation in the process
- National or Zonal Conveners can be elected for two years.

- Rotation of Convener in every two years (period can be extended by General Body).
- In case of poor performance of any members or Convener, the members can call back.

#### **5.4 Zonal Alliance**

The three zones (Southern, Eastern and Western zone) have all their unique geo-bio-cultural character, heritage and specific culture of subsistence and survival, each needs thus such their own arrangements based on their specific needs and character.

The legal holder works for the implementation in cooperation with the voluntary Adivasi / forest dweller task-holders - whom the alliance meetings may define to represent the alliance also as the national representatives for the concerned matter or bio-cultural zone. The following approach to be followed for the same.

- a) NAA Core Team members and zonal representatives shall inform interested Adivasis in the zone that they can make proposals for the zonal programme on what kind of zonal activities they would themselves be interested to do.
- b) In zonal Programme /meetings Adivasis and other traditional forest dwellers can present and discuss their proposals on what they would like to do to build and expand their collective action.
- c) They shall be made aware in advance that they can present in the zonal gathering their ideas for such Adivasi alliance building and its support which are needed in the zone and also on activity they would like to take.
- d) In each zone Adivasis can meet and decide thus to apply funds for their zonal cooperation-building activities as planned and proposed through Adivasis' participation, ideas, contributions and by their proposals for a zonal work-plan - so that the zonal meeting can create also a budget for such zonal mobilization activities.
- e) For the needs of the work-plan, the zonal meeting can nominate its participants to the needed tasks: like zonal convener or people to be responsible for the use of the support or for the reporting of their planned zonal action, or for training, capacity-building or other arrangements needed for the reporting, book-keeping or self-appraisal.

While the zonal gatherings may make updated proposals on their zone's legal holders, starting with the following zonal legal holder organisations:

1. East zone by Seba Jagat
2. South zone by CORD
3. North-West zone by Jagran Jan Vikas Samiti

Each legal holder is to create the first work-plan in consultation with those adivasis and NAA members of the zone who are working or interested specifically on zonal issues. The first year of the zonal cooperation is to enable the Adivasis who practise the concerned traditional practice or thematic activity, to start to gather together to plan and implement their common activities for their common rights. The Siemenpuu-NAA guideline gives more details on the nature of the thematic cooperation.

## **5.5 Thematic alliances**

Cooperation which involves Adivasis and forest communities from several states to common movement building could be supported on thematic basis so that such member organisations who work on particularly threatened rights of Adivasi forest life could act as legal holders of the common cooperation support on such themes.

Proposals on such thematic work-plans approved by Siemenpuu according to the following aims, approach and criteria - reflecting what has been earlier negotiated as aims and approach of cooperation:

- a)** To protect and strengthen by Adivasi cooperation, empowerment and alliance building around the indigenous rights of Adivasi forest life when these rights are threatened
- b)** To support and capacitate interested Adivasis and forest dwellers to inspire and involve their local forest communities to build cooperation on themes of their life as their own association to address the threats
- c)** To enable and encourage such Adivasis from different states who practise their indigenous forest life to initiate, plan, carry out, report and assess their Adivasi cooperation as far as they are interested
- d)** To give scope for Adivasis and traditional forest dwellers to strengthen their wider Adivasi alliance building and to set the aims and plans to guide the applications and reports in cooperation with the legal holders.

Based on discussions and decision of NAA about Siemenpuu cooperation it agreed that the thematic common funds to be applied by the following 5 legal holder organisations:

- 1.** Shifting Cultivation by Devote Trust, (in consultation with ASM, SebaJagat, Dhaitri, Parivartan)
- 2.** Bamboo work by Parivartan, (CG) (in consultation with Lok Sangharsh Morcha, BKS and JJBA)
- 3.** Traditional knowledge /healing by JJVS, Rajasthan, (in consultation with interested partners)
- 4.** Community Forest Rights& NTFP by CORD (consulting with Disha, Kovel Foundation, CAFAT, BKS, Paribartan)
- 5.** Community Forest Governance by JJBA (in consultation with interested partners)

Each legal holder is to create the first work-plan in consultation with those adivasis and those NAA members who practice the concerned thematic activity.

The first year of the thematic cooperation is to enable the adivasis who practise the concerned traditional practice or thematic activity, to start to gather together to plan and implement their common activities for their common rights. The Siemenpuu-NAA guidelines gives more details on the nature of the thematic cooperation.

## **5.6 FRA implementation work of the NAA and member organisations**

SF funded NAA programme partners have been striving hard under adverse conditions at various levels to facilitate for rights of tribal in their respective project areas. The success rate was very varying and dependent on lot of external factors. Except for the case of Tamil Nadu, where it could hardly move as there has been a stay order in all the other state substantial claims have been generated. The number of claims facilitated and approved has been shared in the sections on zones. This section tries to bring out the challenges in implementation faced by the NAA partners.

Constitution of Gram Sabhas is at the panchayat level, rather than at the village/hamlet level. As it is evidently clear from section 2(g) and 2(p) of the Act, the gram sabhas are to be convened at the hamlet level in schedule V areas, and the revenue village level or traditional village or habitations and settlements in other areas. However, in all the southern states, Gram Sabhas are formed at the panchayat level, which is not conforming to the law.

Though some initiatives were taken for capacity building of officials, more intensive efforts are required. In the project districts, during the FGDs, the participants stated that the SDLC and many DLC officials were not aware of the provisions in the FRA related to claims for user rights to community resources. There was also clear lack of coordination between the key departments responsible for facilitating proper implementing the Act.

There is an evident lack of awareness about the procedure for claiming community rights among officials as well as the community. There is a significant gap between claimed user rights and the forest resources that the community uses.

Proper representation of community members, women and PRI on the various government committees, is required for effective implementation of the Act, rather than only government officials who handled the process according to their perceptions. As few claims were filed for community rights. Even in individual cases, several genuine claims were not considered because there was little scope for community participation in the process.

FRC are not formed at the village level, according to the provisions of the Act and the functioning of the FRC does not follow a democratic system. The various government committees did not disseminate information about procedures to villages. The community as well as the FRC were thus not aware of various provisions of the Act.

Some essential documents such as the map of the village etc. were not easily available. In absence of these documents, the verification process was delayed and could not be done properly. No complaints or appeal petitions were filed by the community because people did not claim the titles as a right.

Civil society did play an active role in promoting the Act, this needs to be accelerated. The assessment show that the number of applications filed for community rights falls far short of the potential for claiming such rights. The FGDs stated that reasons were that both the

community and the administration were more focused on claiming individual user rights than community rights in most of the fields.

The community did not feel any urgent need to claim community rights or titles to community assets in situations where they faced no obstacles or interference from the forest department in accessing forest resources. The people were also unaware of the long-term implications of not claiming such rights.

Awareness campaign, meeting and other activities were undertaken by the implementing partners to explain the provisions of the FRA related to community rights to the people. Still, user rights for several critical community assets remained unclaimed. Poor understanding of the provisions is also reflected in the fact that no complaints or appeals were filed in cases of disallowed or rejected claims, both individual and community. The quality of implementation has varied between partners, and even the understanding about the act itself. Only in Chhattisgarh there have been reports of reclaim submission, while one of the east zone partners were still promoting joint forest management which was opposed even by the other NAA partners during the east zone meeting.

Even the various government departments lacked the information, capacities and skills to capacitate the communities; and the interaction in gram sabha meetings are inadequate to help them understand the various provisions of the FRA. They did not have clarity on the functions of the village FRCs and other committees at the block and district level; and the procedure and process for filing complaints or appeals in cases of rejection of claims. The communication materials that were developed and circulated by the tribal welfare department were not printed in the local dialect and did not reach the concerned community. Though some NAA partners have translated the act and its provisions in local dialect and shared with community but it was limited to their project area. During the interactions with NAA partners it was also mentioned that the other gaps included, the provisions related to proof of ownership, particularly for non-tribal families (OTFD), and the documents required for the purpose, the understanding of the meaning of community rights, the entitlements associated with such rights and their implications for their livelihoods.

It was reported that the people were more interested in protecting and claiming their individual rights to livelihood, such as forest land they had been cultivating, rather than focus on claims for community assets. But the administrative committees were also found to be concentrating more on claims for individual user rights rather than community rights. Part of the reason for this is the fact that the FRA has largely been portrayed as a legislation to provide individual land rights. The information issued by the state governments portrayed the FRA as a land-giving or titling legislation; and the Forest department officials mind set and reservations regarding the FRA, and the tribal welfare departments inadequate staffing in implementation of the FRA.

Many of the individual settlement titles provided to the Adivasis are reported that they were incomplete due to the want of clear-cut demarcation, maps, wrong coding of names and addresses.

Though the government published documents and set deadline for the implementation of the FRA in the villages, several actors such as NGOs and CBOs who have played the important role in disseminating the information, helping people to fill claim application and compile the required documentary evidence, etc. But even here, it could be observed that their focus was more on individual cases rather than community rights. As a result, the number of claims for individual user rights was high in most villages, especially those with a high level of literacy than for the community user rights in general. It needs to be mentioned that filling a CFR form requires lot of information, and would also need some technical help in the form of GPS mapping. Most of partner organisations and even some of their staff are not aware that it would be better to apply for both the community rights under form B and governance right by submitting form C.

The act provides for the rights but with these complexities in accessing the rights -form filling, need for supporting documents on the other hand creates limitation of accessing the rights.

## 6 NAA Programmes

### 6.1 South Zone

In the south zone NAA and its partners have been working in four states namely, Andhra Pradesh, Tamil Nadu, Karnataka and Kerala. The NAA south zone had TAAK, TAFSC, VRDP and CAFAT in Tamil Nadu, in Karnataka, Budakattu Krishikara Sangha (BKS) Kodagu District, BKS Chikamagalore and Samruddi, Kanakapura in Bangalore Rural District. The organisation from Kerala is VOICE, Adivasi Aikya Samithi and NGOs from Andhra Pradesh are Kovel Foundation and Dharitri. They had varied activities ranging from education, to ecology, tribal culture and FRA. Some of the activities conducted were as below:

- Periodical meetings in all target villages and hamlets have been conducted and were used for strengthening the village level sanghas (community institution). The meetings have provided space for the Adivasis to talk about the challenges and their achievements; and to develop their strategic plans for further actions.
- Capacity building trainings on community rights were conducted and very well attended by the adivasis in the different districts. The adivasis were capacitated about their individual rights and the rights granted to them living in a community. Being aware of their rights, many adivasis decided to take advantage of their rights and started to file claims in order to get their land deeds.
- Traditional Adivasi gram sabha meetings were organized and created a platform to motivate the adivasis and especially the youth to involve in FRA implementation process. In the students camps, space was created for them to share their experience and challenges as adivasis and also in strengthening people movements and to formulate new ideas on how the youths could help the inhabitants of their adivasi villages to access their rights in relation to FRA 2006.
- Advocacy meetings with the different government officials for demanding individual land rights and habitation rights for the adivasi people were held in every state of the south zone. Many memorandums were given to the officials on different levels in all the three states of the zone. The adivasi filed claims to get their forest rights and habitation rights, to get identification cards, ration cards, etc. and to have their rights finally achieved.
- Through the trainings given to them by the South Zone NAA partners, the adivasi were self-confident while meeting the officials and were able to express themselves to them. Besides, adivasi representatives were able to put some pressure on the government officials regarding their claims towards their forest rights and the officials started to look into the different cases, through which until now some claims have been granted and many more are in the process. The partners organized District level open meeting in which the SC/ST commission chairperson, District Commissioner, ITDP and other government officials were available for interfacing. The adivasis complained about

their challenges in repeatedly submitting appeals to different officers and insisted them to implement the FRA as a whole. They also said that due to the government negligence the FRA has not reached their community. After the meeting the SC/ST commission president has written to officials to address the issues and report to him at the earliest so that he can take necessary steps.

- Several adivasis were supported with legal and financial aids to address the MFP collection conflict. This support enabled them to pay for the expenses incurred in court cases.
- Awareness camps were organized in local schools and colleges about the Adivasi world view, their rituals and their cultural values.
- 'Come to Learn' a programme for the non-starters and drop-out students from schools have been organized to give the children a chance for their future life. Children that dropped out of school in 7<sup>th</sup> and 8<sup>th</sup> standard were able to rejoin school. As a result these children who have been enrolled in schools were able to go to the local taluk level office and address the officials to get their caste or income certificates. Others have been able to enroll in hospitals to undergo nursing training for the period of 3 years and they would be absorbed as nurses after the training.
- Several organic farming trainings had been held and the disadvantages of such practices were explained to them; and this triggered them to discuss about the impact of using chemical fertilizers and pesticides in their agriculture practices. The ill effects and the loss of agriculture land of due rubber trees cultivation was also addressed in the training. They were encouraged to develop seed bank to preserve the seed sovereignty as the local market is flooded with the hybrid seeds. The participants were capacitated to prepare their own green manure, pesticides, preservatives, vermin culture and to address agriculture related issues.
- Herbal medicine training had been conducted and its importance to both humans and environment was elaborated. They were taught to prepare commonly used medicines for joints pain, cough, cold, fever, headache, heart disease and diabetes. Along with that they also prepared herbal pesticides for plants instead of using chemical pesticides. Herbal medical practitioners were selected among the participants and they received special training. These herbal medical practitioners are now able to attend to minor ailments of adivasi.
- The partners have organized FRA follow up meetings in several tribal villages. The main subjects discussed in these meetings were implementations of the forest rights act. The importance of community rights and individual rights and the filling of the claim forms were explained. They were capacitated about the FRA and related activities carried on in different parts of the South Zone, the strategies to implement the FRA, the importance of identifying boundaries, mapping and the ways and means to fight for their forest rights in their communities.
- Leadership training program had been conducted and attended by many youths. The participants were made aware of the problems and issues they are facing these days. The problems identified were lack of access to resources-land, water and forest. Malnutrition among women and children, no proper education among the youths,

unemployment, especially no government jobs, no basic amenities in their villages/haddi's, were discussed by the youths.

- Honey processing and marketing demo and awareness programs has been conducted and well attended. The adivasis were selling the honey bottle for a lower than market rate than commonly sold, but after these meetings they decided to sell it for more. They also decided that the honey given to the Large Area Multi Purpose (LAMP) society should give a fair price for their commodity. Since many of the adivasis are members of this LAMP society they said that they will bring this price fixing issue in the LAMP society meetings.
- Several mass based rallies were held and were attended by many thousand people. A rally that was held to withdraw the declaration of the Kodikanal Forest as Wild Life Sanctuary. This rally was so effective, that after the rally, the officials of the forest department and of the district administration held discussions with TAAK leaders regarding the issue.
- South Zone Adivasi Sangamam was held to observe the International Day of the World's Indigenous People. Tribal people from the South Zone participated in the program. The Adivasi Sangamam/sanghama was meant to highlight the adivasi culture and food, and many communities exhibited their traditional and cultural skills. A minor millet exhibition was held and more than 10 Stalls in various themes attracted more than 2000 people who visited the stalls. Tribal Leaders from all over India participated and shared their initiatives.
- Adivasis were actively involved in the historic stand strike organized by Adivasi Gothra Mahasabha in front of the State Secretariat demanding the effective implementation of FRA, PESA etc. Also they organized a stand strike in front of the District Civil Station in association with other like-minded organizations. The stand strike organized by AGMS was a turning point in the history of agitations by adivasis. Many civil society organizations and renowned personalities supported them.

The evaluation team visited some villages and a meeting of all the partners from that zone was organized at Kodagu. During the field visit to villages, the following observations were made:

- The villages of Varti and Halakeri, which has 42 and 56 households and 250, 259 populations respectively belonging to Jenu kuruba and Beta Kuruba tribe. One of the tribal leader Mr Ayappa from Jenu Kurumba tribe who also works with BKS had received training in GPS survey helped the community apply for the CFR rights. Since Jenu Kuruba tribe belong to one of the PVTGs (Particularly Vulnerable Tribes) they have applied for the Habitat Rights which has been given special emphasis in amended 2012 FRA. They have got approval to access and use 26,000 acres of forest under CFR that consists of NTFP, medicinal plants, flower trees, stones. They have their sacred stone – *Ajayanay Kallu* who symbolizes their great great grandfather, and their sacred places of worship where they worship their deities – *Mahakaleswar* , *Basveswar* , *Bairon Gudi* in the forest area. They reiterated that the forest itself is known as *Deori Kodu* or the God's Forest'.

- Madamburu village in the district of Chikmangaluru is inhabited by Hasaluru tribe. Village has 27 household with a total population of 165. They speak Tulu language which is the mixture of Kannada and local language. The village has a primary school but due to lack of fulfillment of required numbers of enrollment of students it has been closed. A large area of the village has been brought under coffee plantation. In 1961 Britishers commenced coffee plantation here in Badabodangiri Hills. It was later owned by Tata Consolidated Coffee Ltd, covering at least 22, 000 acres of land.
- In Chikamagalore area the self-appraisal team visited Adhoni tribal area where Hasala tribal community is living in this area. They are organized in the name of Budakattu Krishikara Sangha (BKS). Totally 17,888 claim forms have been submitted to. Of these, only 2712 families got individual patta (IFR) over 2531 acres which is less than an acre for each family. Even though they had submitted claims for larger land area. 15,176 claim forms have been rejected. 45 Community Forest (CFR) claim forms submitted which is not yet recognized.
- Implementation of FRA with the support from BKS they have been able to get rights over 150 acres of land though they had applied for 250 acres. The village has also applied for CFR rights over 1500 acres but only got rights over 350 acres. A forest management committee has also been formed by the village to manage the forest.
- During a focused group discussion large numbers of villagers consisting of both men and women from four villages – Avergunda, Koradiguda, Bosnahalli, Anchinathetu participated even though it was a day of harvesting festival *puttari*, which is observed in Coorg region. The participants were from PanjariYarava tribe Koorg, Bunt and Gauda community. 15 households from Scheduled Tribe community got IFR of 1.5 acres to 3 acres, all the pattas allotted are in joint name of the husband and wife. One woman from Betta Kurumba tribe Mrs. Shanti Raju from this village showed her approval of IFR, but even in these villages there was complain of less land being allotted than the applied area.
- An interaction with tribal leader J.K. Thimma from Nagarhole, belonging to Jenu Kuruba tribe explained that they have been fighting for their land and habitat rights since long and this fight will continue till they get their land rights. They are fighting for their land rights in their own land and fighting with the people who are having power.
- In Tamil Nadu, the process of filling applications has been undertaken by forest committee members and they were able to move it through the panchayat and zonal levels, so that it reached the District Committee. But the role of the forest committee members ends there. Now the applications are waiting for the honourable supreme courts decision on granting the title deed. Most of the district committees are ready with an eligible list of beneficiaries under FRA 2016. This process has taken place during the past year. Now the tribal associations have taken the lead to file pleading petitions in the Supreme Court of India.
- The NAA partners from Andhra Pradesh have limited knowledge about CFR and habitat rights. Though Kovel foundation and Dharitri are working in the 5th schedule

area inhabited by the Kondhs a PVTG, but they need to put more efforts to access the community rights.

- Apade village in Kerala of Wyanad district 52 Kurumba Betta kurumba, Katunayak and Paniya Tribal community living in this hamlet organized in the name of Adivasi Aikya Samithi, fought through people's movement they were able to cultivate different crops and stay there. The people who were staying on grasslands got tittle deeds. Now also they are facing lot of problems from forest department and the political parties. The people's organization need to be strengthened. Communities are divided under political parties so even though lot of struggles of adivasis took place for forest land they got very little land.

Based upon the information received, field visits and discussions during the review meeting it was observed that the delineation of Gramsabha and constitution of FRCs at the actual settlements or at the group of hamlets, rather than at the Gram Panchayat level was suggested by the communities and for the effective implementation of the Act.

During the FGD Raju, one of the participants from Kodgu, M. Puttuayya of Muniswaranthodi and Kollimalai Adivasi Sangam; and also participants from Chikamangalore stated that the Integrated Tribal Development Programme initially organized the training at the community level but were unclear of the FRA process and the provisions. They suggested that all departments concerned with the implementation of FRA require adequate training for the personnel especially the departments of Tribal welfare, Survey and Settlements, Forest and Revenue to process the FRA implementation. Though the state government has fixed a deadline for the implementation of the Act but it is the same system that has failed in the implementation.

Based on the FGDs and Challenge matrix it was observed that the number of applications filed by / for community claims compared to individual rights are far less. It was noted that the participants focused much more on filling individual claims and gave priority to protect first their individual rights to livelihood than claiming their community rights. They did feel the urge to file community rights as they did not face any hindrance from the forest departments to access the MFP. In the FGD with the participants in Kollimalai, Salem, and Kodagu villages they stated that the Sangams are disintegrating as a result of political parties giving low priority to community rights. They are unaware of the long term consequences of not filing for the community rights. Illiteracy and poor comprehension of the FRA was reflected as they did not file complaints or appeals when claims of both individual and community were rejected.

According to the Claims availed matrix, participants expressed that lack of government interest and political will to implement the FRA has resulted in potential claimants unclaimed due to lack of awareness, information at the ground level and the non-availability of required forms from the government departments.

The participants stated that the forest department consequent inadequate realization of the potential of the Act to reduce land right conflicts and instead of empower the tribal and forest dependent communities they rather widen the gap. Especially in Muniswaranthodi, the forest department had illegally planted saplings during the night in the land for which

claims have been filed.

It was observed that FRCs were formed at the Panchayat level rather than at the village or hamlet level. Poor coordination between the various departments reduced the effectiveness of the FRC, SDLC and DLC.

The forest department and the revenue departments ignores and do not involve the community in verifications process and in mapping the forest area which has resulted in occupation and identification of demarcated land as it is not the community's requirement.

Based on the FGD and the Claims matrix, they added that the lack of inadequate staff to handle the implementation process its impact has been where claims have been granted, “the process of mutation of land records is incomplete; and in the case of community claims, the title and the acreage are faulty,” said Vasu of BKS, Kodgu.

Based on the Matrix, participants from BKS Chikamangalore, and BKS Kodugu stated that there are several deviations in the process of implementations, including less involvement of the gramasabha, erroneous attribution of rejections made by the officials to the gramasabha and no communication of the rejections to the claimants.

The efforts of the NGOs in creating awareness about the act, mobilization of the tribal communities for various activities such as protests and demonstration etc; and developing FRCs are very much appreciable by the communities. Yet they are perceived as threats to the society and the government, as stated by V.T Kumar of Adivasi Aikya Samiti(AAS).

Based on the Awareness level matrix conducted, it was observed that there is a general awareness of the FRA 2006 predominantly among the Adivasis of the NAA network as result of the NGOs initiation as the NGOs had a clear strategy for disseminating information, education and communication resulting in increasing the awareness in the community. Yet, based on the same matrix regarding the adoption level of the FRA provisions is very poor among the Adivasis.

## 6.2 NAA West Zone

The NAA west zone comprises state of Rajasthan, Gujarat and Madhya Pradesh. Three organisations from these states are associated with NAA (JJVS is member of NAA and other two are associated with JJVS for taking forward the NAA programme in the state of Gujarat and Madhya Pradesh. The zonal partners also intend to associate with partners from Maharashtra.

Jagran Jan Vikas Samiti (JJVS) is founding member of NAA and legal holder of all the programmes supported by Siemenpoo foundation for west zone. JJVS is associated with Siemenpoo from 2006 and till now they had certain programmes continuously. JJVS is also part of core group of NAA and convener of west zone, in addition JJVS also leading the thematic programme on traditional Healing.

These legal provisions were also explored for revitalization of traditional health system practiced by local healers. The organisation is working with healers for more than 25 years and made efforts for identification, documentation, recognition and promotion of healers. The thematic programme anchored by JJVS is primarily focussed on furthering this initiative which is important for tribal life. So far JJVS has reached 7 states and more than 1000 gunis and making efforts for up-scaling.

### Interventions

Jagran Jan Vikas Samiti works directly in 101 villages in Jaisamand catchment area and through other local organisations in 350 villages across different blocks in Udaipur district of Rajasthan. The region comprises 49.71% tribal population (census 2011). JJVS started the programme with the village communities to find out what they knew about the access to forest lands since 1995.

After having initial village meetings, JJVS started analyzing what to do in each village and made a plan to approach each village. Then they had cluster meetings followed by village/hamlet meetings to initiate dialogue about FRA, PESA and Biodiversity Act. Local communities then started realizing the relevance of their rights, and they have started to hold Gram Sabha every month and discuss FRA and other relevant issues. The local communities felt that proper Gram Sabha conduct must be in place in order to use the FRA provisions.

A survey of natural resources and their use was conducted in 50 villages. In the village surveys they documented local resources including flora and fauna, water bodies, sacred places, roads to temples, important places. In case of IFR and CFR, The villagers first draw their social map through PRA exercise, The FRC committee verifies this map and then the forest and revenue department verify this using GPS instruments. The size of the area is also mentioned in the application along with its location.

For community rights claims maps, the method of collecting data is participatory resource mapping, so that the villagers together assess the local resources, NTFP, domestic and wild areas, as well as traditional roads to temples etc. on the map. After making these maps, the

Community forest right claim is prepared. The FRC members and line department person makes field visits to the sites for physical verification and prepare their separate report.

In Rajasthan, one problem is that the village gram sabhas are largely bypassed in the application process and the claims are handled by panchayat gram sabhas. In panchayat level, people from 5 villages participate in decision making. Often, the representation in the panchayat gram sabha is very poor. As the FRC's are also formed in the panchayat level instead of village level, the power of the village gram sabhas which should legitimately make these decisions (according to PESA & FRA Provisions) is undermined.

JJVS has made efforts to inform the communities about the importance of the community rights to their livelihoods. Without community forest rights there is no appropriate benefit from the individual forest rights either, as the villagers' access to their individual lands will be limited as the traditional ways will be blocked, they will not have some rights for collection of NTFPs also). People, who have possession of the forest land to their private use, are not willing to claim for community forest rights. JJVS has been organising separate meetings for these people in order to solve the disagreements. One young beneficiary who has a college degree and whose father has been able to get a title says that it would not have been possible to submit the claims (individual and community) without the help of an NGO. JJVS has helped them to file for both claims. In the community meeting, there are a few women who have their land title paper with them. The communities generally appreciate JJVS that now they feel positive, hopeful and empowered about accessing their rights.

**Table 5: Progress of FRA implementation**

#	District	Name of G.P	No. of FRCs Constituted	No of claims submitted			No. of Title issued		
				IFR		CFR	IFR		CFR
				ST	OTFD		ST	OTFD	
1	Udaipur	Lalpura	8	53	1	3	38	0	0
2		Jhamarkotra	2	58	0	1	24	0	0
3		Chansada	5	62	0	0	32	0	0
4		Dantisar	3	27	0	0	27	0	0
5		Kot	1	26	0	0	22	0	0
6		Vali	2	82	0	1	28	0	0
7		Jagat	2	91	0	1	75	0	0
8		Kanpur	1	35	0	0	00	0	0
9		Kaladwas	1	35	0	0	00	0	0
10		Javad	1	04	0	0	00	0	0
11		Adwas	1	10	0	0	00	0	0
12		Veerpur	1	95	0	0	00	0	0
13		Shyampura	1	04	0	0	00	0	0
14		Gatord	1	31	0	0	00	0	0
			<b>30</b>	<b>613</b>	<b>1</b>	<b>6</b>	<b>246</b>	<b>0</b>	<b>0</b>

## Results

JJVS spread awareness at village level and ward level related to the amendments and orders in relation to the FRA, information regarding provisions under NREGA that could be used for land leveling, plantation work, water harvesting and water conservation work. Post this; a special Panchayat level Gram Sabha for planning was organized. JJVS team contributed towards the proposal and submitted to Gram Panchayat. The Gram Panchayat sends this proposal to Block Development Office for its technical and administrative sanction.

JJVS team engages with FRC members and updates them in relation to amendments in the Act. Also help them with documenting and writing something, or maybe build their capacity in particular aspects of FRA implementation. In relation to the provisions under PESA Act, JJVS assessed the current issues that were in villages, if meetings take place to decide about any happening/ mishap in the villages, who and how it sorted and how a PESA committee in the village is functioning and its roles, decisions how to strengthen the FRC, involve younger generation etc.

In IFR people are generally given only the area of land that they are cultivated, usually 0.5 -1.5 hectares. However, people usually use only 1/3 of the land for cultivating and the rest is pasture. In south Rajasthan, private pasture is an important part of the land system although there is also common pasture. In those forest rights that have been approved, sometimes the cadastral details are missing from the certificate, which means that it is difficult for the holder of the right to prove which land is actually theirs.

In the villages that JJVS works with, 6 CFR claims have been submitted to gram sabha for recognition and certificate and these are in the process stage. After the new rules of 2012, emphasis has been more on the community forest rights. JJVS also passes information from district and state levels to the communities in the FRA implementation processes.

The field visit revealed that livestock rearing is the main livelihood but it is facing the problem of less availability of fodder. The community along with the forest department has setup a very good forest management system is in place. The area is governed under the special provisions as mentioned in schedule 5 of the constitution. In these areas there is provision for Hamlet/ tola/ habitation level gram sabha- a provision already included in the FRA after the amendment in 2012, though that is not in practice.

Recent panchayat elections have reduced the pace of implementation of FRA; as there is change in panchayat functionaries also the SDLC, and DLC will have new members

Awareness about the provisions and processes of FRA implementation continues to be limited at all levels- community, panchayat representative, government officials even some NGO workers need some help especially for community claims. Most community claims are not being followed up with the application for resource use and management. The guni centres setup in the village is a good initiative, and has been very well accepted by the community.

There are issues of relation between nomads and the locals tribe which surfaced during the meeting, with increasing pressure on the resources there seems to be some strain in the

relationship. Though they have historically lived in harmony with each other, this would need further probing as to what are the reasons for these conflicts, its frequency or was it just a one off incident.

### **West Zone Programme**

The prevalent conditions revealed that the implementation of legal provisions of PESA, FRA and Biodiversity (BD) act was not there as per the expectations and the international commitments are yet to be fulfilled. The PESA implementation is far from the objectives, so far the state government has notified the rules and there is need to focus on implementation of PESA in true spirit and for this purpose appropriate institutions have to be educated and enabled to exercise their rights. Similarly implementation of FRA was also not satisfactory, mostly individual rights were recognized at that too limited to cultivated areas. There was need to focus on working CFR claims to move towards conservation of local resources and make arrangements for sustainable use. The BD bill also got introduced at the state level where state biodiversity board is being constituted but its implementation and introduction at grassroots level is entirely absent. Keeping view of above situations of these legal provisions, it's needed to create and strengthen community institution to advocate issue of effective implementation of legislation at local level.

The NAA West zonal cooperation has proposed to take grassroots initiatives for effective implementation of provisions related to Bio-Diversity Bill 2002 & Rule 2004, FRA 2006 and PESA 1996 in South Rajasthan, Gujarat and Madhya Pradesh networks. They proposed to create community institutions in this zone targeting two to three panchayats to advocate issues related to community right over natural resources under the various legal provisions. This area is having majority of tribal population (more than 80%) where large patches of forest land and community are having their individual as well as community rights under the provisions of FRA. West zone planned to organize events to highlight the issues of tribal areas particularly in light of FRA, PESA and BD bill implementation. The major focus is to highlight the gaps identified in achieving the results under FRA, PESA & BD bill for the strengthening the tribal life. The key area where attention is required is the setting up appropriate institutional arrangements for achievement of these legal commitments related to conservation, benefit sharing and improving access of natural resources.

The network intended to share the experiences of grassroots situations and challenges being faced among different networks by participating national and international level conferences, seminar, workshop, etc. So far whatever progress is made in this direction is only limited to documentation of biological resources and related knowledge of communities which is again in bits and pieces. Pursuing the documentation alone also may hamper the IPR regime. So it is important to take up institutional strengthening first in selected locations and share experiences with national and international agencies for taking forward the critical issues related to access to local resources and synergies our efforts for the same with ongoing initiatives. The progress and performance of the network in the state of Rajasthan is narrated in the earlier section. The scenario of other two states is given below:

## **GUJARAT**

Lok Sangharsh Morcha (LSM) works for tribal rights, tribal life, tribal culture and tribal education in 200 villages in the states of Gujarat, Maharashtra, Madhya Pradesh and Bihar. The essential feature of LSM is to act as an organization that brings tribal people together around common issues, making the unity between tribals strong and thus empowering them to pursue their rights. The activities consist of sensitizing local communities to recognize their rights in the grass root level, and on the other hand, of upscaling the demands of the tribal people by bringing the demands of the villagers to state and national governments. By gathering their demands together, they create a powerful pressure towards the government to implement tribal rights in a proper manner. LSM has been active in this work. From 2002- 2007, they have organized several events in Delhi to bring forward the importance of tribal rights in the National Government level. More generally, LSM have also written petitions to National Government to advocate for proper FRA implementation.

The Gujarat partner of the zone (LSM) has filed a Public Interest Litigation, wherein the individual land right claims of 182,869 individuals in Gujarat were brought to Gujarat High Court. The high court has passed the judgment that the Forest Department should respect the Gram Sabhas decision in a proper manner. If the Forest Department doesn't implement FRA, it is an offence, thus, a punishment can also be applied. After the High Court judgment, 73,921 of the 182,869 individual forest right claims have already been re-examined and passed by gram sabhas /panchayats, and the rest are in the process. JJVS has been helping LSM in this legal issue. LSM had also been making efforts in Gujarat at state level that individual right claims should include both the names of wife and husband. Since 2013, this amendment has been applied in Gujarat, bringing gender-equality in Individual Forest Rights.

LSM has given special emphasis on mobilising local volunteers and getting the local communities aware of their rights, so that they themselves feel empowered to claim them. LSM provides facilitation (information and legal support) for the people's own demands. This has apparently been successful. The forest department also doesn't harass them any more when they are in the forest. Here the FRCs have been elected among the Gram Sabha - not ordered by the Forest Department like in some other villages/districts/states(Forest department is only a member at block or district level). Thus, their work is motivated and focused. The FRC's consisting of 11 members include both male and female members. Also, LSM has been aiding in constituting Biodiversity Management Committees.

In Tapi district, the process of claiming Individual Forest Rights is successful compared to many other areas. In spite of that, a lot of difficulties arise when interacting with the Forest department. In Tapi district, 216 claims were passed in the extent in which they had been applied. In Limbi village, so far, 249 claims have been forwarded by the Gram Panchayats. 216 of them have been passed by the sub divisional committee in the form that they have been applied. That means the passing rate is 87%. In Gamia village, 243 rights had been claimed, of which 131 have been conferred and 112 are pending.

The process of community rights is still in the phase where the community members are

being discussed with to promote their understanding of the importance of Community Forest Rights.

### **Madhya Pradesh**

Bread for Tribal Village, is an organization working for last 21 years in 100 villages of Meghnagar block in Jhabua district. Approximately 75 % of the communities are adivasi. In each village 2-5 persons are traditional healers that have knowledge of medicinal plants. There are several problems in the area, in the fields of socio-economic status, education, cultural rights and land rights, as well as dry soil, the problem which could be tackled with water restoration programs. The forests have mostly been degraded due to the demand of fuel wood. The problems are also related to lack of connectivity, and the communities do not know what is happening in other parts of the country. The organization's main focus has been a health and sanitation program. They do not have a lot of information about FRA. People in the villages have got individual forest rights, but they do not know about community rights.

In Jhabua district, 86 % of the people are adivasis. They are either Bhil or Patalya adivasis. Bhil's indigenously live here, and Patalyas have migrated from Gujarat 200 years ago. In this area, 90% of the forest has been destroyed in the last 30 years due to the demand for wood of furniture manufacturing in a nearby city. 10% of the forests in the areas are protected by the Gunis. Traditionally, there used to be "forests of the Gods", and in each such forest, one Guni used to take care of the forest.

The organization has also facilitated the formation of Gram Van Samitis, which are Joint Forest Management Committees from the local villagers who are involved in forest issues (Forest Rights Committees have not been formed yet) Gram Van Samiti members are 50 % male and 50 % female. This ratio has been there since 2014. In each Gram Van Samiti, the secretary is from Forest Department, as it is in whole of India, an issue widely opposed in the villages.

The organisation has been successful in gaining 90 individual forest rights (90 claims submitted, 80 have been granted) in a (Thanla Block, Khawasha Gram Panchayat) forest belt that the government was first not willing to give. The organization has been associated with NAA for two years.

While talking about future improvements in NAA work, it was mentioned that the workshops and seminars to increase knowledge are crucial in sharing about challenges and discussing possible solutions within the network.

### 6.3 East Zone

East zone forms one of the largest grant regions for SF. It has 8 partners, and 12 projects with these, which includes three thematic programmes and one zonal programme. Eastern region has one of the largest area with tribal population, forest and minerals all overlapping with each other. The region also presents the challenging picture of threats from larger economic interests to adivasi way of life and livelihood. Since the east zone has largest number of partnership, a table with brief outline of their work is shared below.

**Table 6: Brief snapshot of the projects in eastern region**

Partner	Area of operation and communities	Forest rights act	Other actions	Issues
ASM	Kabirdham, Kanker districts of Chhattisgarh, mostly among Baiga and Gond communities  60 villages; 6 staff (but not all of them have good capacity as far as understanding on FRA is concerned)	Secured 942 pattas under IFR 1503 claims submitted; (most people have got patta for area far less than applied for)  No of claims rejected and reapplied- 453  39 CFR application process is underway  They have also initiated a campaign to encourage the villagers to demand the species to be planted according to their selection. They have also written to forest department about the issue. In 2015, forest department provided them with 6000 seedlings, which were of the species the villagers had chosen, trees	Plantation of local species, has protested against eucalyptus plantations (2014). Campaigns against corruption using RTI as a tool; involving 200 houses. Creation of “VaidMahasamiti,” traditional healers association and “seed bank” like attempts are praiseworthy	Less land allocated, False Gram sabha FRC’s not formed through proper process  Problem between VSS and FRC  Problems of documents and its availability for CFR  Though working in Baiga areas have not submitted any claims under the habitat clause,
Parivartan	Kanker and kondagaon districts 8 blocks; 93 villages; (Gond and Pardhi community); 13 field workers; 1195 HH of pardhi  Pardhi community are mostly landless and	In the two districts the claims submitted in the 26 Grampanchayat is: For IFR- 1777 claims by adivasi; 204 OTFD while 31 CFR( 18 claims submitted while 13 still under process)	Pardhi- adivasimahapanchayat 1200 members  One key impact of this process has been that 34 Pardi people have got selected as ward	Less interest for Community Claims /CFR,  Problems of mistaken identity a zone of conflict between naxalites and police.  Workers capacity

	<p>have lived out of their traditional vocations (bamboo craft) and have encroached forest land for their livelihood. The Pardhi community has been left out of the process of generating claims even at the Gram sabha level. They were earlier excluded, but with the efforts of Parivartan-formation of adivasi-pardhimaha-sangh(mahapanchayat), things are improving</p>	<p>1000 adivasis have got their land title, while other claims are being processed, none of the CFR claims have been granted till the date of reporting</p>	<p>Panchayat members under the Panchayati Raj System adopted in India. One result of this is that 4 primary schools have been opened by the state authorities in some of the more distant and remote Pardhi villages.</p>	<p>building on PESA and CFR</p> <p>Major challenge is to make the traditional vocation viable for youths</p>
Disha	<p>Empowering the tribal communities to exercise community forest rights, claim benefits of rehabilitation to the displaced families and streamlining of NTFP trade thereby enriching the endangered tribal culture and economic empowerment at 40 villages at Antagarh region of North Bastar division (Chhattisgarh)</p>	<p>Kanker- 680 IFR claims settled; 11 CFR submitted (Gond community) 9 adjoining villages have also submitted CFR A federation of 30 SHG's for trading in Mahua was formed: promotion of Gondi culture and a sangh (community institution) for Gonds is a very good initiative</p>	<p>Good peoples involvement, use of GPS; They also used RTI Linking with other networks Chhattisgarhbacha oandolan(save Chhattisgarh campaign) ; Campaign for Survival with Dignity With the help of other organisation 16809 ha has been claimed under CFR in Rowghat region Good use of RTI, to get information on land and even challenging the FD</p>	<p>Problems faced from the panchayat secretary or panchayatsevak (as per the FRA the panchayatsevak will be the secretary of gram sabha for the purpose of FRA) Rowghat- a mineral rich region faces the challenge of getting claims generated; Lack of willingness in implementing FRA especially CFR probably due to mining Problem of displacement exists Lack of implementation of PESA in the Area. The area has high deployment of security personnel who are not aware of the FR act it creates problems.</p>
Devote Trust	<p>Continuation of Adivasi Livelihood Development Project in Kondhamal district of Odisha</p>	<p>Applied for 20 habitat rights- In 2015- 2500 families got 12000 acres of land; this cannot be necessarily linked to</p>	<p>Documented biodiversity of kutia tribes, who are practicing shifting cultivation</p>	<p>Habitat: the documentation for the same has to be seen. While it has been observed in Dupi village that they have 7</p>

		the work of SF, but yes there field level actions were also facilitative		padars(or hillocks on which they did shifting cultivation), similarly for other villages as well. Since this would require more technical help in the form of mapping support; which they have not accessed within NAA
BIRSA	35 CFR applied in Ranchi(9 CFR claims already settled); 7 CFR in Saraikela district. In Kuchai block of Saraikela 39 villages are Mundari-Khutkatti villages and they have a traditional organisation which manages the resources there. MundamankiBakasth Mundari khutkattivikassamiti, is the name of this traditional organisation	CFR is seen as a binding force; processes like boundary marking, board erecting in forest is a good initiative to generate community interest, support as well as confidence	Sharing of act in local language,Developed the strategy to work at ground level like putting of sign boards to mark the community resource boundaries.  Resolved the CFR conflict among community through cluster meeting and gram sabha .  Community management of fisheries with transaction of Rs0.5 million with revenue sharing with of 24 % with Fishery deptt.	Low level of awareness among community;  Very good knowledge at upper management level need to build capacities of field staff as well  JFM being promoted by the Forest department
SebaJagat	Continuation of Adivasi Traditional Rights and Livelihood Programme implemented in 40 villages of Kalahandi	176 CFR applied 17 – 18 CFR has been approved  In project area 1100 IFR;  Identification of Traditional healers in Sudra and Urladani and selling of traditional medicine in local market	Strengthening Advasi Socio-Cultural Co-operation of NAA(a tribal museum has been built)  Publication of Tribal bi monthly newsletter  Got right for Bamboo harvesting in Jamuguda village	The CFR numbers seems to be beyond the 40 villages as well, role of the partner is not very clear

Paribartan	<p>Strengthening Tribal participation in sustainable management of forest, reserves and water resources for livelihood and action to safeguard their rights and entitlements furthering mitigation of climate change 2013-16</p> <p>Works in 60 villages of 10 panchayats having 35 ,000 population</p> <p>Works with Juang tribes and PaudiBhuiyan tribes two comes under PVTGs</p>	<p>20 Forest Rights Committee constituted</p> <p>3551 tribal families received Title deeds ( IFR since 2008 expedited from 2013 onwards- 8331 acres)</p> <p>13 numbers CFR claims in process for 2345 hectaresof land</p>	<p>Capacity building through exposure</p> <p>Advocacy to people centric, media and to policy makers and elected political representatives that includes women representative</p> <p>Documentation of traditional food crops, trained 300 people on vermicomposting, establishment of seed bank, 58 micro plans developed</p>	<p>Rehabilitation of yet to be displaced villagers of two villages – Bodapadar and Chandapalik</p> <p>The organisation works closely with VSS but this should be avoided as it is contrary to the provisions under FRA, and compromises with the rights provisions for adivasis</p>
Natyachetana	<p>Break the Silence and Get a Platform to Artists Projecting Adivasi Issues</p>	<p>There was a series of Orientation meet to draw attention towards the connection between ‘Adivasi culture’ and ‘Awareness’ when talking about FRA.</p> <p>There were Peoples Theatre Festivals carrying theme – UNITY, MASK AND CHILDREN in three years connecting performances with Adivasi life. Having groups from the region.</p> <p>After theatre workshops were titled SUA on Public Distribution system, Another titled DHUAN about industrialisation, Play titled- SURYA NAMASKAR on climate change and deforestation.</p>	<p>Has been able to provide good pro people thoughts through its mobile orientation section , theatre workshop and theatre festivals</p>	<p>The transformation of Adivasi culture into the borrowed western culture has become fast. The youth have become the victim of this process.</p> <p>Strength of Adivasi culture is gradually vanishing, which is a danger to lose traditional knowledge and skill.</p> <p>The community feeling and unity is challenged by vested interests.</p> <p>Must think of transforming Adivasi not to put as a segregated category, rather claim their life and style as a progressive mainstream approach.</p>

## **Zonal initiatives**

During the east zone partners meeting all the partners deliberated on the NAA structure, zonal initiatives and suggestions on way forward. The partners expressed the need to strengthen the NAA national structure and need to have programme at the national level at least once a year. Within the zone exchange programmes were undertaken, Chhattisgarh representatives went to Jharkhand and the vice versa while in Odisha there is solidarity with the people of Niyamgiri. In the Kawardha district of Chhattisgarh in the meeting interaction with the community members assured them of solidarity and moral support from representatives from other states. In the respective states of the east zone the NAA partners have initiated actions like sending a memorandum to the governor of Odisha, sharing platform with others to protect the rights of tribals in Chhattisgarh and working closely with the government through Jharkhand van adhikarmanch (a forum of organisations working on implementation of FRA). All the partners felt that the initiative of self-appraisal was a good approach but has not been properly done, it was observed that facilitation by an external (SF representative) was required. The NAA east zone partners expressed the need to have a state level initiative also so that more regular and sustained efforts on FRA could be undertaken.

From the east zone there was a delegation which attended the Bio diversity conference in Sri Lanka, which helped them to create awareness about the food diversity of adivasis and the challenges faced by them to preserve these. The effort of NAA was also displayed through posters and banners.

## **Recommendations and suggestions for East Zone NAA**

From the experience of our fieldwork, observation and deliberations of the meeting held in Raipur, Chhattisgarh, the followings are the possible suggestions and recommendations for the implementation of FRA in East Zone by SF funded NAA, East Zone.

Key issues and difficulties in implementation of IFR and CFR is due to lack of awareness in grass root level, lack of interest and awareness and coordination among Government officials of different departments to implement the Act, barriers due to inter community conflict, land acquisition process for industry, mining and project.

Here, if we endeavour to understand the entire mechanism of FRA implementation by NAA partners, first thing comes to mind is that the Forest dwellers should be aware about their rights and know how to organize themselves to get their rights, NAA partners are required to facilitate both the goal and the process of getting that rights .

In between the main stakeholders and NAA partners comes the role of Government departments who from the very beginning of distribution of claim forms of IFR and CFR to approval of user rights and thereafter the rights to Community Forest Governance and restoration of traditional livelihood of the Adivasi and Other Traditional Forest Dwellers who play the key role in the whole process.

FRA implementation process is also associated and affected with other Acts like Bio Diversity Act, Wild Animal Protection Act, Critical Wild Life Habitat Act, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement

Act.

For awareness development programme the following steps may be taken: training programme to FRC members by NAA partners with the assistance of NIRD (National Institute of Rural Development) SIRD (State Institute of Rural Development), TRI (Tribal Research Institute) that looks after the training programmes of different government sponsored schemes and programmes. Collaboration with NAA partners with the above mentioned Govt. Departments would also facilitate awareness to and capacity building for Government officials who are one of the important stakeholders in the process of FRA implementation. The resource person will be NAA partners who are having extensive awareness on grass root problems, social activists, government officials from the same training institute and intellectuals and academicians who are having vast experience of working among the forest dwellers.

Need to organise more awareness programme to the grassroots level workers of partner organizations who actually work in the fields having direct contact with the forest dwellers.

### **Shifting cultivation**

Immediate work for claim on habitat rights, follow up work for habitat rights for all the PVTGs of NAA east Zone who still practices shifting cultivation.

A module village with documentation centre may be opened in Shifting cultivation areas of Devote Trust which has extensive documentation of indigenous crop varieties. This centre of NAA east zone may stand as an exemplary research centre, where documentation of bio diversity of the shifting cultivation along with sustainable use of bio diversity area for the present and future generation. It may be mentioned here that this documentation is done by these PVTGs tribal group of Baiga and Kutia Kandha etc. Paribartan, Odisha which is having a seed bank, may provide expertise to develop a seed bank in the module village.

Since life and culture of PVTGs group of Kutia Kandha and Baiga is dependent upon shifting cultivation, restoration of traditional livelihood is one of the important tasks and agriculture extension programme of agriculture department may be extended to this age old practices for livelihood restoration.

It has been discussed that expertise knowledge is required for this thematic project. Traditional knowledge system of the PVTGs is itself a science which has been proved in many past documentation and present research works. In NAA east zone as well as NAA of other zones are also having expertise of agriculture science who will be supporting as the advisors for this centre .

Workshops on habitat rights phase by phase on local, block, district and finally on Zonal level is suggested for awareness programme to both forest dwellers, NAA's workers and Government officials who are involved FRA processes.

### **Thematic on Bamboo working community**

Looking to the many facets and importance of restoration of this important thematic work

it is suggested that it is not about IFR and CFR of the community under the project, but restoration of the livelihood of the community and protecting and promoting the culture of whole region which depend on art and craft of Bamboo workers.

This thematic project has inculcated a sense of identity and unity among various adibasi and forest dwellers of many parts of the country which is very important, would latently help for mobilization of these communities to protect their rights and thereby empower them. Hence, S F funded NAA should help the community for CFR of Bamboo forests and a planning to move forward this project with the help of national Bamboo Mission

### **Thematic on Community Forest Governance**

Two model villages of Jharkhand should be the training centres for CFG to the forest dwellers of NAA implemented projected areas where the adibasi have got use rights for CFR.

### **Youth camp and language school in youth dormitory:**

“Ghotul” the youth dormitory in Bastar, Chhattisgarh should be developed as a youth camp and as a language school for the children .It is suggested that language school is more fitting with the institution of Ghotul as it is a wonderful example of informal educational institution of the tribe. For language school NAA should take initiative to have collaboration with national institutions that exclusively works for Indian languages. From this language school NAA may train some of the youth from the tribal communities itself for translation purpose to facilitate the communication facilities in project implemented areas.

### **Community Museum in Odisha**

As a long term strategy concept of an ethnographic museum relating to the forest of the tribes of East Zone may be developed since Seba Jagat has developed the museum with the active participation of the Adibasi and forest dwellers .

Ministry of Culture provides funds for the museum development activities.

### **On gender Perspectives**

NAA east zone has done exemplary work in connection to the gender perspectives of FRA, especially work by JJBA, Parivartan, Chhattisgarh and Disha and ASM, Chhattisgarh by incorporating women groups of forest dwellers in FRA activities

Thus, both the women stakeholders of NAA, East Zone women group of NAA partners East Zone can provide their expertise on SHG formation, formation of federation, Mapping of the CFR, protection of the rights of the women etc.

## 7 Thematic Programme

### 7.1 Bamboo Work

The thematic programme on Bamboo work is being implemented by Parivartan, Kanker. Most of the project interventions were related to Pardhi community in Chhattisgarh. Parivartan has undertaken project activities such as village, sector and district level meetings for the well-being of the Bamboo workers communities. The Organisation also tried to organise bamboo workers from different states and identified their common issues.

Pardhi, Nahar and Kamar people do the bamboo crafts. They live in the jungle, where they get Bamboo. From bamboo they make basket, container and storage bin. They sell in the market and village area and survive their livelihood. These communities had traditional practice of collecting Bamboo from the vicinity. They also collect the forest produce like Bamboo, Herbs, Roots and Mahua for their day to day use. The communities consider Bamboo works as their traditionally own self determined occupation for their survival which they should not be deprived of them.

Bamboo worker settled in Kanker, Kondagaon, Narayanpur, Balod, Durg and Baster District. These communities make basket, Supa and Buti from bamboo and survive their livelihood. Pardhi people survive their life by doing bamboo works but now as the excess use of plastic and iron instruments the demand of bamboo works declined significantly. These communities are having deprivations on multiple aspects. Their life became pathetic due to not getting bamboo from the jungle. The forest department does not allow them to get bamboo from the jungle and chase them from their land. They burnt their houses and destroyed their cultivation. Now they have been deprived of house, land patta, bamboo, identity of cast, drinking water and electricity light etc. Even then the government is in silence.

From the sale of Bamboo articles they get Money, Rice, Paddy, Vegetables etc.. They bring Chironji, Mahua, Tendu, and Awla from the jungle. And also they hunt all the forest animals like Rabbit, Rat, Jungles Chicken, Squirrels etc. for their food.

After induction of Forest Conservation Act 1980 this communities become more vulnerable as the forest department forced them to evict the forest areas which were their habitats. They live in a small house made of raw materials like wood and mud and there is no window. Their houses are covered by the wood fence. They cook their food in the Pot and eat in the Leaf, Chukni and Dobl.

**Table 7 Functional Area of the thematic programmes**

No.	States	Name of Bamboo worker community
1	Chhatishgarh	Pardhi, Nahar, Kamar, Gond
2	Jharkhand	Mohali, Turi, Gondai
3	Karnataka	Betakurba, Soliya, Medha
4	Gujarat	Kotwaliya

### **Parivartan Samaj Sevi Sanstha –Chhattisgarh:**

The Pardis are a marginalized tribal community that thrive in parts of central India. In parts of Chhattisgarh they are known as ‘Narahar’ Pardis and are a minority in comparison to the other tribes such as the Gonds and Marias. Their chief livelihood is that of Bamboo work. For this reason they are at times also referred to as ‘Basod’ or bamboo workers. They are occasionally nomadic in nature and wander from one forest tract to another in search of bamboo groves that they may fulfil their purpose and needs. They craft small household articles such as sieves, mats, and storage containers out of bamboo. The goods they produce are more in the nature of utility articles than anything fanciful with artistic engravings. In recent times, however, it is becoming increasingly difficult for the community to obtain its regular and free flowing supply of bamboo. Ever since the colonial period forests have been rigidly delineated and this put restrictions on the accessibility of forest produce at the hands of forest communities. Nowadays forest reserves in Chhattisgarh and Jharkhand are being handed over through the ‘back door’ to transnational corporations for the purpose of mining.

The existing supply of bamboo is getting quickly depleted where the state administration is more interested in extracting bauxite and iron ore in a close nexus with the corporations. This is even while forest policies require the department to make bamboo available to communities such as the Pardis on subsidised rates. But since the Pardis are very poor and command low levels of literacy they are either unaware or completely clueless as to how they may gain access of bamboo from such sources as a matter of right. In such conditions they invariably turn to the market. Though markets are local and underdeveloped the local traders usually fleece the Pardis and charge them exorbitant rates for the bamboo logs they need for their work. Bamboo logs are usually sold for anything between INR 50 to 80 to them. When the Pardis are done with crafting the bamboo logs into final products they end up selling their products at extremely low rates to middlemen. Finished products at the end of a week are sold for anything between INR 400 to 600. Under no conditions does a Pardi household ever earn more than INR 1200 to 2500 rupees in a month in this way.

The work of Parivartan has largely been to ensure that the livelihood of the Pardis is protected. On a priority basis efforts have been made to create homestead plots of Bamboo that the Pardis may be able to access with greater ease. This work was initiated with greater focus since 2013. Parivartan has also committed itself to bringing about larger structural change. Parivartan has engaged actively with more than a 1000 Pardi households in the region. If one were to provide a more precise break up there are about 451 families in Kanker, 409 families in Kondagaon, 172 families in Narayanpur, and 119 in Balodabazar block according to a census carried out by Parivartan staff. Of the given families in the region nearly 1195 families have been organized into what is today known as the Pardhi Mahapanchayat. This mobilization of the Pardis into a Mahapanchayat has taken place with a strong rights based perspective. The Mahapanchayat finds its true strength in a series of village level bodies located in the above mentioned blocks of Kanker district. The vibrancy of such bodies is particularly visible in the locations of Ghotiya and Dokranala where the Pardis have also taken to plough cultivation. Birju Ram who is the elected head of the body explains that the mobilization is primarily a struggle

for dignity. The Pardis have been pushed to the margins of society by both the state and other dominant castes. Owing to this it is not enough to simply enhance livelihood earnings. If the Pardis must influence decision making in the region then it can only be through the agency of a federating body such as the Mahapanchayat. One key impact of this process has been that 34 Pardi people have got selected as ward Panchayat members under the Panchayati Raj System adopted in India. Since Panchayats are formally recognized as important bodies of local self-governance as per the constitution, the involvement Pardis as ward members is a significant landmark. One result of this is that 4 primary schools have been opened by the state authorities in some of the more distant and remote Pardhi villages.

It is important to mention that the work of the Mahapanchayat finds added strength in favourable policy enactments such as the Forest Rights Act of 2006. This act ensures land ownership rights to forest communities and also provides a means for communities to establish their usufruct rights over forest produce such as bamboo. Under the provisions of the above act the Pardis have been able to regularize their landholdings, meaning they are no longer treated as illegal encroachments. Out of a total of 384 applications that were submitted at the start, 138 have gained entitlements over their individual plots. Another 240 odd applications are being currently processed. These lands have been further developed under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) of the government of India. Parivartan has played the important role of building awareness on all such counts, and is currently channelling its efforts into securing not only individual rights but also community rights over forest tracts based on historical patterns of access/use. This seems like the only means of protecting traditional livelihoods. Pardis have already started acting like pressure groups which regularly insist that the forest department make bamboo logs available to them at subsidized rates as per the law of the land. A total of 450 families have been registered as bamboo workers or 'Basod Pangiyani' as they are referred to in parlance. Another 175 families have renewed their registration which was defunct and treated as namesake for long.

It is important to mention that one of the chief means by which the Pardis are occluded by the local administration is through a blatant denial of their identity. For instance the forest department customarily rejects their claims to being a 'Basod' community whose traditional livelihood is based on bamboo work. It has not been an easy process to establish the identity of the Pardis as a 'Basod' community, primarily for the fact that many Pardis do not even as much as have a caste certificate. For this purpose Parivartan has actively striven to help such communities acquire identity proofs and cards that are issued by the government such as smart cards, *aadhar* cards, ration cards and the like. Such identity cards which reflect its irrefutable status as a 'Basod' community can be held up against the forest administration. They also serve to mainstream the community into a series of governmental programs and initiatives, the proper performance of which is in turn ensured by the right based mobilization of the community into a Mahapanchayat. To give a brief tally of such accomplishments 360 families have got new BPL or Below Poverty Line cards allotted to their names. Wielding a BPL card makes it easier for the community to access other benefits and provisions. As a result 67 families have got *pucca*

houses constructed for themselves through participation in a program called the Indira Awas Yojna. Though Parivartan at this point does not have an exact estimate of the number of Pardi households who have obtained a ration card, about 200 odd Pardi's in recent times have been able to secure voter cards with some assistance. The Pardi Mahapanchayat in the time to come hopes to network with other associations of bamboo workers spread over India to create a stronger confederation. Parivartan on its part wishes to see the Pardi Mahapanchayat organized into a robust institution which is able to represent interest of some of the poorest of the poor in the region in an independent, self-reliant and autonomous way.

### **Lok Sangharsh Morcha - Gujarat:**

LSM Gujarat started its working with Kotwadiya communities focusing on PESA and FRA implementation. The bamboo workers are getting bamboos from near forest, but now days bamboos are not available and also the issues of migration of the community in sugar factory, but after implementation of forest right act people get bamboo easily and no harassment from forest department. In the village Pathrda, the community is engaged in making bamboo baskets. This village is inhabited by people who have been displaced from the area that was lost due to the Ukai dam constructed. When they lived in their previous village, bamboo was easily available nearby. Now, in the new village, the men have to fetch bamboo from a forest that is 30 kilometres away. They fetch bamboo from two places. Community Forest rights would be a great help to the village, because if they had more secure tenure for their land, they could grow their own bamboo forest there. The other panchayat, where the bamboo forest occurs is no more allowing this panchayat to gain access and collect bamboos from their area. There had been a conflict with a neighbouring community when the villagers went to collect bamboo in the forest. The LSM was negotiating with the neighbouring community. LSM is planning to have skill training in the village in order to diversify the selection of bamboo products.

## **7.2 Traditional Healers**

The JJVS's idea of promoting and protecting oral traditional medicines knowledge with Gunis (traditional healers) needs to be expanded in other parts of country where the relationship between natural resources and adivasis is still alive. JJVS proposed that the thematic cooperation to be implemented in Adivasi dominated areas where rich forest diversity and traditional culture exists in NAA's functional areas. For direct interventions, they considered south Rajasthan and its neighbourhood states like Madhya Pradesh and Gujarat in which pocket of 3 districts was selected in this thematic programme. The prime focus of the initiative is traditional knowledge keepers 'Guni' who play an important role in sharing knowledge and promoting it at local level. The information regarding the importance and uses of locally available natural resources disseminated among community of their health and livelihood security.

Networking the Gunis has been successful according to all of the guni interactions. The gunis highly appreciate the knowledge exchange workshops, where their knowledge has been enriched. For example, they now know more uses for the plants they are accustomed

to use, and they have also learned about the preservation of the medicine etc. The gunis did not indicate any areas of improvement, but good practices are recommended to be continued and network to be extended to even more gunis. The gunis' involvement in BMC's is recommended, as they have valuable information about natural resources and the protection of them. Gunis seem to be highly appreciated in the community. In all of the cases where we met gunis, there were also patients waiting or they were being cured.

## **Gujarat**

To date, 170 Gunis have been recognized and their knowledge has been documented in Tapi district. The Gunis protect their knowledge by transferring it to next generations in the guru-discipline relation. They also protect the plants: they do not cut the whole plant before the seeds come, so that new plants can grow from the seeds.

Gunis are not too afraid about the forest rights. Forest Department is not harassing them. Even though some of the Gunis were displaced from their previous areas, they said that they will find most of the medicinal plants also in those forests where they nowadays collect medicinal plants. They do not cultivate any plants, everything they use is found wild in the forest.

LSM is also lobbying the government to raise the awareness of Gunis and their important traditional knowledge. LSM's aim is to have the Guni certificates recognized by the government, along with recognizing the Guni's rights. Awareness is also raised among the Gunis that they would be aware about their forest rights.

### **7.3 CFG or Community forestry governance:**

JJBA has initiated the Community Forest Governance as an ideal and ambitious program and forest dwelling/depending women can play a very important role in it. This is a post CFR activity. Gram Sabha has got the authority to establish this committee as per the rule of 4 (e) of the amended Rules 2012 to implement the provisions of sec. 3.1(i) and sec. 5 of FRA. JJBA has already initiated this program since 2012 and formed this CFG committee in many villages, particularly in JJBA target villages. As per the guidance of JJBA, the Gram Sabha, while constituting its own CFG committee, has to make sure the gender equality in the committee. The CFG committee has to take the responsibility to protect, manage and regenerate the whole forest biodiversity & environment as well as the tradition & culture of the local community. The training workshops are being conducted time to time for these CFG committee members including women. Establishing the Community Forest Governance (CFG) is the core issue/agenda of JJBA. Men's and women's teams are formed within CFG committees. These teams go to the forest on regular basis in rotation and to keep vigilance to avoid any felling of trees or any harm to the forest. Thus women's groups are playing a good role in forest protection.

Erection of sign board by Gram Sabha is a strategy that is being promoted aiming to establish CFR in two ways; i.e., use rights as well as right to protect, manage and regenerate the forest resources within traditional boundary of the village. The sign board bears the name of FRA, name of villages bordering with the forest boundary, total area of

the forest in hectare or acre, name of the Gram Sabha controlling and managing that forest and single line notice which states that trespassing without a permission of the Gram Sabha and destroying the forest and forest biodiversity is punishable.

The thematic group had organised a national level campaign at Teliadabra in Achanakmar forest reserve. JJBA has also partially supported a documentary “A sylvan call” this documentary was made by a tribal youth. The adivasi sanghama programme under the theme has been merged with the JJBA annual sammelan. This sanghama has been attended by representatives from other partners as well. The thematic group has an outreach among 345 families of 3 blocks in Ranchi, 360 families in Kotwaria block of Tapi district in Gujrat and 135 families in Karnataka.

The theme leader has also come out with a guidebook on community forest governance. The initiative is very good, since it starts with the tribals asserting the rights over forest, followed by formation of management committee which oversees the development of forest conservation plan. They have successfully roped in support from the fishery department for fish farming in a common water-body, the revenue from this would be shared between the villagers and the department.

The national seminar was very well attended by groups from Sunderbans, other NAA partners also participated. Four state level campaigns were to be organised in Gujarat, Odisha, Chhattisgarh and south. Three of them were already conducted. In Jharkhand under the rule 4.1 of FRA CFG has been formed in 55 villages, rules for forest protection and forest use has also been made by the community. JJBA has also prepared a documentary titled “Jungle kipukar” or call of the forest.

## 7.4 Shifting Cultivation

The thematic programme on shifting cultivation aimed for:

**1. To claim under the FRA diverse rights** which PVTG communities are legally and equally entitled to have and to get these registered and respected in reality, including:

- a) Right to hold and live in the forest land where they have lived.
- b) Rights to customary community land tenures of PVTG communities for habitat, habitation, livelihoods, social, economic, spiritual and cultural purposes.
- c) Right to seasonal access to customary common forest land within the traditional or customary boundaries of the village, or to seasonal (/nomadic) use of landscape.
- d) Access and user rights to biodiversity and minor forest produce like bamboo, brush wood, cane, medicinal plants and herbs, roots, tubers, honey, wax, lac, tendu, mahua, sal and other seeds, etc., traditionally growing within the community boundaries as sustained by area's indigenous life heritage and innovation
- e) Community's right to regenerate, conserve or manage community forest resource and biodiversity as it has traditionally protected and conserved for sustainable use through Micro planning and study with the community participation

- f) Other traditional rights customarily enjoyed by the PVTG communities, whose right to life depends on right to forests, including also the following rights which India is responsible to secure:
- g) Find out other livelihood options in the traditional forest life and convergence action.

On how such diversity of the legally recognised traditional rights could be utilised, the NAA self-appraisal addressed and discussed also the following issues:

The shifting cultivators "solely depend on forest and cultivation" that rotates in the forest. Their life and culture which sustains it, has been founded on such seasonal or periodic cycles of the biodiverse life of the area, which are integral to shifting cultivation and maintained by it.

"They have calculated that approximately 80 varieties of food and everything they get from forest like fruits and roots and medicinal plants in various seasons" and they cultivate "rich biodiversity : local variety of 26 varieties of seeds to sow and within that 26 varieties they have 45 sub varieties of seeds "

"While cutting, eating and collection of crops they have their song, dance, drama and worship - their ritual to the trees and deities". They have even a kind of 'marriages' with the plants or other living elements of the environment as their affinal kin (bandhu), which binds them to their "life supporting system". From what they get they keep a share "not only for the visible population but for also invisible population". "Since many of their festivals like kandul festival and semi festival are associated with the shifting cultivation, if the cultivation will be stopped" then the cultural life integral to it would fade away as well.

With a "technique of cutting the tree that regenerates the tree once again" "tribal communities decide where to cut", "where to start how to start through traditional knowledge system". "The deity of the particular hill is also asked". "If the deity agrees then they start the cultivation and the time and day is decided and everybody participates in the cultivation. It is a community event though some changes have also been noticed in parts of Andhra and Chhattisgarh. Every village has their own boundary and own hills. For example a village have eight hills, then they decide which hill is to be cultivated in which year."

**2. To protect and sustain the wild and cultivated indigenous biodiversity** and its customary sustainable use as adapted to local forest regeneration through the customary land tenure and its traditional occupation (8) including by:

- a) Traditional management of the lands and forests as held and sustained by the indigenous communities.
- b) Condition that free, prior and informed consent of the local communities has to be obtained for any such access to the local biodiversity which can affect area's biodiversity or ecosystem in the community.

- c) Community-based initiatives that incorporate bio-cultural values of customary sustainable use of biodiversity to the forest management, also of the protected areas, with the full involvement of the local PVTG communities

Shifting cultivator communities face "threat to their life and culture" as they can "not get the local varieties of food" from the market.

Sabitri Patra shared that "Only five per cent of the area is being used for shifting cultivation which is having a rotation as a basis of cultivation. What about the rest of the 95 per cent deforestation?" "Kendu Leaf department cut all the trees -Bamboo department have cut all the trees of both bottom and top of the hills .- Railway department" etc. "Forest department have filed cases against tribal communities" maintaining "the record of putting the community people into jail for practice of shifting cultivation. This is the record of 100 years"

NAA Self-appraisal discussed about the need to "regenerate the traditional agriculture system" also by a campaign in "national level to protect their land rights".

"Sabitri : The process has been started for habitat rights in 20 operational areas." Dr. Jagdish Purohit asked "but what about the non PVTGs tribes who do practice the shifting cultivation?" "What steps should be taken for claims of CFR?". As others who practice shifting cultivation can be seen as pre-agricultural communities, they can be claimed equal habitat rights as PVTGs under the FRA 3.1 (e).

Satya Patttnayak of Seba Jagat shared "20 years back I have seen at least 50 varieties of crops, now only 10 to 12 varieties of crops being cultivated of seeds". How to protect these traditional varieties of seeds is a challenge. Our agriculture scientists have also not given thought on it how to protect it."

**3. To document customary sustainable use of biodiversity** by community protocols, community based monitoring and other means based on communities' indigenous knowledge, innovations and practices on issues through Micro planning, study and debate

"We need to have study and research to carry on the further work." "as our tribal communities have their own soil conservation which needs to be studied."

Workshops and documentation have been done so that the communities can be able "to sustain the shifting cultivation and seeds can be preserved and culture can be protected." There has been awareness programme in villages on Agroforestry, Protection of seeds through seed bank and CFR rights to the tribes. Also they have planned for cultivation of medicinal plants in the areas of shifting cultivation."

Sharat Singh said agriculture extension programme can be connected with local traditional practices. The aim is that "the threat to shifting cultivation can be stopped and the rich biodiversity associated with it can be preserved." "All these things will help for the sustenance of food habit which is related to their traditional livelihood practice."

To fulfil the project objectives, NAA thematic cooperation on shifting cultivation taken up following activities:

- The partner organization of the thematic programme has conducted training on micro planning for staffs, volunteers and community leaders two time each, with totally 150 participants.
- Community micro level planning: totally 15 plans are in process, with 235 people participating in the process.
- In the project areas a total of 24 community forest claims have been submitted.
- Two review meetings are done from 5 Partners and they discussed on programme strategy, planning of activities, how to take follow up of actions. 20 participants in the two meetings.
- Community field level study is started by partner organization on pattern of cultivation, seed storage and preservation, food habit, cultural practices, life sustainability and impact on bio-diversity. The situation in past and present is studied and the factors responsible for changes.
- Community level Presentation of study and community feedback: A range of different kinds of studies are in progress (on community and individual forest rights, forest produce, traditional agriculture, impacts on modern agriculture, situation of shifting cultivation, basic service provision in the communities.
- A video documentation on shifting cultivation is in process.
- An exposure was conducted by Partner organization to model adivasi areas of bio diversity where they discussed on cropping pattern, models of biodiversity, means of livelihood, impact of modernity, mining – with 25 participants.

## **8 Prospective Plan for NAA-Siemenpuu Cooperation**

Based upon the understanding from the zonal partner interactions, field visits, self-appraisal reports and secondary information the evaluation team suggests the following perspective plan for the next phase of NAA-Siemenpuu cooperation.

### **8.1 Key strengths and weaknesses of the NAA partners**

The key strengths of the NAA partners:

1. Good rapport with community
2. Strong community based organisation's
3. Some of the partners are also working with the government department and accessing their funds for the welfare of adivasis.
4. Facilitated people's organisation that have been cornerstone of some of the initiatives (be it the adivasi movement in Kerala, guni centres in west or the mundarisamiti in east to name a few)
5. Networking with other organisations and network to further the cause
6. Building the adivasi cause through advocacy, RTI or networking at the state level

There have been many strong points of the PIA's be it the process of signboard marking on forest boundaries by JJBA, the creation of Adivasi-Pardhi mahapanchayat (a community organisation of both the communities) by Parivartan which has reduced the tension between the two community and facilitated land rights for Pardhi community. The efforts on linking with other network and organisation to protect the right of the tribals provided under the act in the Rowghat range was a very good initiative by DISHA. NatyaChetana has created lot of awareness through its plays on climate.

The NAA partners would need a bit of facilitation as far as preparing claims under habitat right is concerned. At the current level of expertise they are not in a position to facilitate claims on habitat rights. Some of the partners have applied for community claims (form B) but have not applied for the governance rights (form C) provided under the section 5.

The other issues that need to be further strengthened in the network are

1. Owning and creating visibility of NAA (many of the partners are members of other forums/network but NAA as a network is not very visible compared to others)
2. Having a clear vision about themes and role of a thematic leader
3. Need to be more interactive or reaching out for each other during campaigns/ actions of solidarity
4. The strengths among the partners are not being accessed by others. It has been observed that there are differences in approach in filling community claims. Some partners have claimed both use and governance right, while few have claimed only use rights
5. Gap of understanding between top functionaries and field workers about the FRA

6. Due to project related activities in some regions tribal leaders were engaged as field workers, unaccustomed to the formal project reporting and documentary processes have been found to falter on reporting, but have had been found be very good in community mobilization.
7. Limited meetings at the national level though zonal activities were undertaken

## **8.2 Goals and objectives for coming programme phase**

- To build, capacitate and empower traditional institutions to conserve and propagate the life and livelihood of tribal
- To facilitate the access, manage and protect natural resources (land, water and forests) for tribals and other forest dwellers

## **8.3 Long term perspective:**

1. Identifying tribal youths and providing them awareness, latest and relevant information, training their team to bridge the gap between their traditional way of resource governance and the current upcoming challenges like climate change, train them on planning and implementation of actions on natural resources. They should also be sensitized to conserve their traditional practices and way of life.
2. Development of change agents at community level needs to be further strengthened. During the evaluation we did meet a few community leaders but it needs to be further strengthened both in terms of their numbers, and their capacity. In the south zone we met few community leaders, and they were well aware of the situation, have also taken very positive steps to further the cause of adivasi. In other areas the community leaders have not grown much beyond the organization fold, so there is a need to identify a group of youths and capacitate them, give them the exposure and develop the vision for furthering the cause of tribal life and livelihood.
3. Strengthening traditional community institutions and or strong community institutions which have strong regional/zonal linkages among themselves. The ambit of traditional institutions should be beyond just religious/ social functions but should also be facilitated to include resource governance, conflict resolution and larger goal of conserving the tribal way of life. This is a tough ask for the organisations working in service delivery mode but if successful would bring about a long lasting impact in the society.
4. NAA should engage intensively with the acts like FRA (The Scheduled Tribes and Other Traditional Forest Dwellers – Recognition of Forest Rights Act), PESA-Panchayat (extension to the Scheduled Areas) Act, Biodiversity Act, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act and Mines and Minerals (Regulation and Development) Act for safeguarding access and use rights of natural resources dependent rural population. NAA must empower people in sound management of natural resources to strengthen democracy and to ensure transparency and openness. There is an adequate framework of legislations (73rd and 74th Amendments, PESA, Biological Diversity

Act and FRA) that can potentially permit us to substitute the current system with a people-oriented system that would be genuinely environment friendly. The funds provided under the tribal sub-plan (TSP) should be accessed to further improve the livelihood of tribals.

5. Linking with other regional, state and national level networks to further the cause of adivasis
6. Evidence based research and liaisoning with senior officials at district, state and national level would be important components of NAA network. Documentation and dissemination should be undertaken for involving other interested people in discussions and debates.
7. Have network with institutions providing legal aid services

#### **8.4 Short term:**

Since till now the process of claims generation it seems is the responsibility of NGO's, this has to change, and the community should be the forerunner in claim generation. The role of NGO's should be to create such community change agent, while they would continue to play the role of facilitator.

The other major challenge is to generate the interest in youth to access their rights, value their traditions and promote the same. This would need activities around livelihood that can cater to the aspirations of tribal youths.

1. The NAA project should have a multi-pronged approach- intensively engaging in their focus zones, while reaching out to other organisations-networks-community institutions for an extensive area impact
2. Focus on compact area approach: It has been observed that the area spread of the partners is quite high. Most of them operate in more than one district. As per the capacity of the organisation, the target area set should be compact.
3. The partners should work in a manner to generate all possible claims or in a saturation mode (Community claims, CFR claims, if possible also the IFR claims for all eligible persons)
  - a. In some areas reconstitution of FRC should be done if needed to adhere to the structure as laid down in the act (at the tola level/ revenue village level as applicable).
  - b. Claims need to be submitted under the habitat right as mentioned in 3(1)e at least it could be initiated with Baigas
  - c. Community claims for sacred groves, places of worship, water bodies or other options as applicable as per section 3(1)d of the act need to be facilitated
4. NAA partner organisations should advocate with the government for reconstitution of SDLC and DLC in all the states where panchayat elections have been held recently.
5. Since NAA partners are having multiple projects from various donors as well and in the same area of operation so processes must be set up to avoid possibilities of

overlaps between donors area of operation. During the course of evaluation it was observed that some activities were undertaken with resources shared from other sources as well, this is fine, but the activities should be planned and shared before being implemented with the Siemenpuu India group.

6. People's biodiversity register for each project villages should be developed. Activities like this could also go a long way in documenting the local traditional knowledge, local cultural practices and their resources.
7. Activities that promote sense of ownership over their resources should be promoted
8. Mobilisation of community to assert their rights, planning for development and sustainable use of the forest resources should be promoted. In order to achieve this, activities with traditional tribal institutions should be initiated. At present traditional institutions have mostly limited themselves to cultural and religious practices, they should be made aware, trained and capacitated to plan and manage natural resources. The traditional institutions should be trained to fulfill the procedural requirements as per law. In case of less interest shown by these groups, community groups can be formed and similar activities can be undertaken with these groups.
9. A major challenge in many of the NAA project areas is the reassertion of departmental control through JFM/VSS- a campaign should be undertaken to check this process. FRA 2006 Rules Section 4(e) provides for the Gram Sabhas "to constitute committees for the protection of wild life, forest and biodiversity, from among its members, in order to carry out the provisions of Section 5 of the Act". Forest Departments in different states are making all out attempts to substitute these committees with their JFM/VSS/Eco Vikas Samiti ( Eco development groups).
10. Strengthening livelihood initiatives around the traditional vocations (bamboo craft, based upon NTFP/MFP; other possible options available around the village). Some of these activities would bring the community together, will improve their returns. The NAA partners should be cautious in its approach and should only promote the traditional vocations. This would avoid the proliferation of the market based value chain approach but it also has a flip side it has low economic returns. Activities that can increase the returns from the traditional vocations should be promoted like training on better designs for bamboo products, primary processing (grading, sorting) of the NTFP collected at the community level. Some of the present vocations being promoted have the ability to be up-scaled to a community level.
11. In all the areas that have already been covered the partners should create a time bound campaign for appeal of all rejected claims. As in absence of the same the faith of the community on the organisation, the process would be reduced.
12. In cases where no reasons have been given or the claims are pending for long, people should be facilitated to use the RTI or other means of accessing information. As per the act
  - i. If the SDLC recommends rejection or modification to DLC, it has to be communicated in writing to each claimant personally and the FRC/Gram Sabha and a receipt from the concerned claimant and FRC/Gram Sabha should be obtained. The claimant should also be informed that if he/she is

aggrieved by the decision of SDLC, he/she can appeal to the DLC within 60 days of the receipt of the information

- ii. SDLC has to ensure that the records have reached the concerned Gram Sabha within a week, and a receipt from the concerned FRC is obtained.
- iii. All the records sent back from SDLC to the Gram Sabha has to be shown in the status report as pending with the SDLC.
- iv. As per Act and Rules SDLC is not empowered to reject or modify any claims. It can only recommend rejection or modification to DLC.

It has been one of the most important challenges, there is a need to pursue the case of every filled up form to its logical conclusion and here the FRC should play the lead role while the organisations need to play a facilitative role.

13. Setting up block level help centres on forest rights act. This initiative could reach out to beyond core areas. Any such centre should keep a record of all the queries it gets, the name and address of the persons whom they have given facilitative support. This would help in tracking the effectiveness if any of such an initiative.
14. The NAA partners should map the existing organisations working on FRA in the region and facilitate district level coordination or be part of any such effort.
15. Linking with other government programmes from rural development, tribal development, (for example- National rural livelihood mission, MKSP, programmes under TSP/ Schedule caste Sub Plan, Van Bandhu Yojana: proposed for 350 blocks across the country having tribal population) for promotion of organic practices, protection and promotion of traditional food crops, plantation of local species
16. Awareness vis-à-vis theatre process as a new Theme. Here there could be exchange of performances, training to promote traditional culture and practices. There can be models of poster campaign, wall Magazine, exchange of music, projecting adivasi performances in main stream events, adivasi skills with music-dance etc. to establish in larger platforms to draw attention towards adivasi way of life, create bridges between communities. Linking theatre, drama with tribal culture making the community aware about other emerging issues as well.
17. Need to reinvigorate the NAA structure, especially the National body. The scheduled meetings should be organised and all the members should suggest ways of presenting the alliance at all other forums, sanghama or workshops
18. Organize a campaign for issuing caste certificates and ID proofs as there are several instances of claim applications being rejected for lack of caste certificates and ID proofs. The state administration can be facilitated the provision of caste certificates and ID proofs on the spot at the Panchayat level, thereby saving time and resources; and accelerating the FRA process. These activities and campaigns should be taken up in all tribal-dominated areas.

## **8.5 Criteria and standards for monitoring FRA work, and procedure**

1. There is a huge gap in the numbers, achieved (at the state level) and the potential of claims. Even though there is effort from quite a number of organisations, which only represents a very small fraction.
2. It is proposed that each organisation should come up with a list of villages where they would like to work with the support from SF, and first step is to identify all the potential claimants and the project should ensure that all the claims are correctly filled through the proper process.
3. Each organisation should clearly articulate the list of the potential new leaders that they want to develop, while the list of other already promoted leaders should be documented.
4. Some of the NAA partners are also members of other forums, some of them having similar objectives; there needs to be Mapping of all such forums, and their objectives more discussion is required between SF and all the partners, on how to engage with some of these forums. NAA partners should highlight the critical elements of NAA
5. It has been observed that the knowledge and awareness of the FRA, is quite varied within institutions and among various organisations. Some of them have good knowledge about the act, while there are others who would need some help as far as understanding the provisions under the act is concerned(it is evident from stress on post CFR management by some organisations to while there are even organisations promoting Van Suraksha Samiti/ JFM). The zonal process should also include periodic self-appraisal. Sharing of learning from each project; the challenges faced in each project and the process being followed should form the core of the zonal discussion. The zonal process should also bring out strengths and support required for each organisation. Zonal budget heads could be used to access support from other partners of the zone.
6. The current practice of self-evaluation has not really taken off, and has only worked when facilitated by SF representatives or other external stakeholder. The NAA core group along with SF would need to setup alternate mechanisms. A suggestion could be to involve an external person/institution or an advisory group (constitution could be decided by the NAA partners, a suggestion would be to involve people from other organisations not being funded by SF, people from other networks working on FRA, representatives from academic institutions ) in the process. Facilitative evaluation should also be the role of the zonal process, it should be periodic time bound and linked to fund release
7. Every project should have an inbuilt mutually agreed upon monitoring plan and project milestones
8. Creation of NAA Facebook page and its regular updating can be good initiative to share about their work with others and also link up with other networks.

## 8.6 Implementation

- Presently NAA operates at individual organisation level, then a zonal level and national level. This structural system was quite debated during the course of evaluation. There were suggestions since most of the issues in implementation concerns to the operations of state government, advocacy on issues pertaining to official hurdles have to be resolved at the state level so there should be a state level structure. While the state level structure would no doubt be relevant as far as official advocacy work is concerned, but the purpose of having zonal structures had a purpose to bring together adivasis residing in contiguous area.
- Though the state level initiative would be required for advocacy related activities, but since as per the current NAA members are very limited and ranging between 1-3 for most of the states, having such a structure would not be feasible. While of the advocacy need for each state should form part of the Zonal initiative. The zonal initiative could also link with other network and conduct joint state level advocacy events. Emphasis should be laid on building better working relationship between members, and more community organizations should form part of such initiatives.
- National advocacy events should also have a spare day for conducting meeting among members once a year. NAA can undertake campaign, join hands with other national bodies to further the cause.
- NAA national body should at the earliest conduct training for all the partners on the new FCRA regulations. It should cover the all financial-operational aspects, limitations as per the act.
- NAA zonal and national bodies should conduct trainings or organize events for partners to train them on generating own resources, accessing local funds and linking them with other donor organisation
- Documentation of process/success/challenges should form the regular part of implementation, this can contribute to promote evidence based advocacy. Exchange between members, communities to get exposure of successful models or activities, should form part of the zonal action.
- There was quite a lot of debate about the thematic approach, there were some confusion about overlaps, which only goes to show that the themes do cut across regions. It was suggested that thematic, was designed with a purpose and it was to have expertise on a specific theme so the resources should be used in a manner that the thematic partner becomes a knowledge centre for all the NAA members and even beyond.

## 8.7 Reporting of the project results:

1. The reporting should be structured in a manner that it covers all the FRA related work of the organisation. To be more specific it should also contain a table of FRA related work done with the support of other donors, the area, number of villages, panchayats. The list of villages being supported by each donor and the activity that they have been supporting should be shared at least once every year.

2. Since the new FCRA rule will need every organisation to upload financial information every quarter, it should also be shared with the donor. This will require close coordination, reporting and good financial management system at the partner level. This will be quite challenging for fund channelizing to indirect partners in the current project cycle.
3. A section within the report should cover the engagements (like training, awareness etc) with the traditional institutions and any impact/ action thereof should be documented.
4. Though the current reporting format is quite extensive, still going through some of the reports we could not capture the challenges, it would be desirable to have the process documentation done. This would be very challenging for some of the organisation, they would need some support. Student (interns) could be supported to document the organizations work. It would be desirable to have tribal students doing the case studies and process documentation this would serve the dual purpose of sensitizing and capacity building of tribal youths.
5. For the thematic programme, beyond their regular reporting it should also share the number of individuals/organisations who have proactively asked for support from the thematic organisation.

## **8.8 Operational context in the FCRA implementation**

In India the offshore funds for project purposes is governed by the foreign contribution regulation act or FCRA. Under this regulation all organisations accessing funds from foreign sources have to get them registered and are accountable to the authority. In the last few years there have been some changes in the regulations. As per the FCRA regulations: The acceptance of foreign contribution by the association/ person is not likely to affect prejudicially –

- (i) the sovereignty and integrity of India; or
- (ii) the security, strategic, scientific or economic interest of the State; or
- (iii) the public interest; or
- (iv) freedom or fairness of election to any Legislature; or
- (v) friendly relation with any foreign State; or
- (vi) Harmony between religious, racial, social, linguistic, regional groups, castes or communities. Organisations cannot engage in any activity which is political in nature,

(c) the acceptance of foreign contribution-

- (i) shall not lead to incitement of an offence;
- (ii) shall not endanger the life or physical safety of any person

There have been conditions laid down in the act which prohibits channelizing funds to a non FCRA registered partner. Section 7 of FCRA, 2010 states:- “No person who – (a) is registered and granted a certificate or has obtained prior permission under this Act; and (b) receives any foreign contribution, shall transfer such foreign contribution to any other

person unless such other person is also registered and had been granted the certificate or obtained the prior permission under this Act: Provided that such person may transfer, with the prior approval of the Central Government, a part of such foreign contribution to any other person who has not been granted a certificate or obtained permission under this Act in accordance with the rules made by the Central Government.” Rule 24 of FCRA, 2011, as amended vide the Foreign Contribution (Regulation) Amendment Rules, 2012 [G.S.R. 292 (E) dated 12th April, 2012] prescribes the procedure for transferring foreign contribution as under: "24. Procedure for transferring foreign contribution to any un-registered person- (1) A person who has been granted a certificate of registration or prior permission under section 11 and intends to transfer part of the foreign contribution received by him to a person who has not been granted a certificate of registration or prior permission under the Act, may transfer such foreign contribution to an extent not exceeding ten per cent of the total value thereof and for this purpose, make an application to the Central Government in Form FC-10. Every application made under sub-rule (1) shall be accompanied by a declaration to the effect that- (a) the amount proposed to be transferred during the financial year is less than ten per cent of the total value of the foreign contribution received by him during the financial year; (b) the transferor shall not transfer any amount of foreign contribution until the Central Government approves such transfer.

(3) A person who has been granted a certificate of registration or prior permission under section 11 shall not be required to seek the prior approval of the Central Government for transferring the foreign contribution received by him to another person who has been granted a certificate of registration or prior permission under the Act provided that the recipient has not been proceeded against under any of the provisions of the Act. (4) Both the transferor and the recipient shall be responsible for ensuring proper utilisation of the foreign contribution so transferred and such transfer of foreign contribution shall be reflected in the returns in Form FC-6 to be submitted by both the transferor and the recipient."

## **8.9 Coherence with the work supported by other funding organisations**

SF in this project cycle has focussed most of its efforts on CFR, which was timely appropriate and need of the hour. In the preceding years the efforts of on IFR by many organisations had created a wrong notion of FRA as an act that only promotes land distribution. It is only that the focus on CFR has brought forward the real strength of FRA to provide livelihood option to tribals, conserve their culture, and practices. In all organisation that was visited there was high coherence between the organisations work, work supported by other organisations. In the west zone JJVS, has focussed its energy on the traditional medicine, while the problems of shifting cultivators has been raised by Devote trust in many forums leading to lot of interest, cases of violation of the rights of Kutia community was covered by the national dailies, there are other organisations in the region but they still continue to focus on individual rights. While most of the other activities like organic farming, promotion of traditional crops and seed bank are activities

that are being promoted even under the national flagship developmental programme of MKSP/NRLM.

In most of the states there are other networks as well which have been focussing on FRA. In Jharkhand a network of 22 organisations named Jharkhand Van Adhikar Manch (JVAM) has been working closely with the government on one hand and the people on the other, similarly in Chhattisgarh organisations like Chhattisgarh Bachao Abhiyan, Centre for Survival and Dignity, Ekta Parishad and few more networks are promoting the cause of tribals. In Orissa, organisations like Vasundhara, RCDC, Odisha jungle manch and many other networks are also involved with promotion of tribal rights under the forest act.

### **8.10 Suggestions related to Siemenpuu funding policy**

In the last phase the SF funds has been well utilised and for the purposes mentioned in the proposal. The current practice of is to limit the partners to not more than two projects. While it has also been shared during the debriefing meeting by representatives of Siemenpuu about possible cut in funds available to SF, this will surely impact the process but looking at NAA structure, its partners and the thematic activities suggestions to tide this crisis could be to change the present funding policy and limiting it to one project for one partner. Within the NAA partners, it was observed that the partners were at various levels of skill, knowledge and expertise. Most of the thematic partners have over the period linked their organisational approach to the specific theme for example expertise on herbal remedies has become the core strength of JJVS, while similarly JJBA has enhanced its strength on community forest governance. Though the policy should be to grant one project to each partner but the activities should be tuned in a manner that partners expertise is used across the network.

NAA national body should also facilitate partners to access funds from government and other sources. This could also be an action point for the zonal partner. The partner should also explore and share with SF about possible local funding options and even SF could support the partners in proposal development.

## **9 References:**

Study by Vasundhara and NRMC on CFR potential

Newspaper reports- HT

Report of the Working Group on Ecosystem Resilience, Biodiversity and Sustainable Livelihoods for the XII Five-Year Plan

Planning Commission's Working Group on Forests & Natural Resource Management

Project reports of the NAA partners

Self-appraisal report for all the three zones