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Impact of forest rights act among the tribal people in the Mayurbhanj of district, Odisha, India

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Abstract:

The indigenous people of India, who have lived a life based on the natural environment and have cultural traditions that are congenial to their physical and social environment, are tribal peoples. The Government of India passed on scheduled tribes and other traditional forest dwellers (Recognition of Forest Rights) Act, 2006, considering the disadvantages of forest dwelling groups (FRA). The goal of the act is to grant legal entitlement, empowerment and improvement of livelihoods through different provisions of the act, but this purpose has not been completely achieved due to a lack of adequate knowledge and impediments to implementation. The present study was conducted in the Odisha, Mayurbhanj tribal majority district, where FRA was introduced to enhance the social security and livelihood improvement of tribal forest dwelling populations. This research attempted to explain the status and development of the FRA in the district of Mayurbhanj along with its effect on the major tribal peoples. The evaluation of the impact on socio-economic and livelihood improvement was carried out on the basis of primary data collected from 150 households in four villages found in the study areas by the predominant communities. Forest Right Act, 2006 is the remedy by the legislation to the historical injustice to the forest dwellers. The Act made possible to create a balance between the needs of the lively forest dependent tribal and the developmental programs by the government and the democracy in the area of forest management. It is

the main light of the FRA that they respect the freedom and rights of the forest dwellers who always been dependant on the vegetation found in the forests. According to this study in the state of Odisha, the FRA is promoted and the tribals were aware of their rights and benefits except a minority. The socio-economic and political developments are happening with the implementation of the FRA. The study recommends avoid passivity of the implementation and the passive attitude of the beneficiaries.

Key Words:1. Forest right Act,2. 22006,3. forest dwellers,4. tribals and rights.

Introduction

The aboriginal inhabitants of the earth are tribal or Adivasis. They have had an integral and close knit connection with the forest since time immemorial and have been dependent on the forest for livelihoods and life. According to the 2011 census, Indian forests are home to 8.2 per cent of the nation's population and there are over 84 million inhabitants. While they had a symbiotic relationship with the woods, their customary rights to live, own and gain livelihoods from the forests were not properly recognised. In 2005, according to the request of Ministry of Tribal Affairs a draft of the Scheduled Tribes (Recognition of Forest Rights) bill came to overcome the background of globalisation, liberalisation and quick expansion. The entry of multinational organisations created anarchy among the tribals. In 2006, the Forest Rights Act-FRA was passed and came into force on January 1, 2008. It notified the rights of forest dwellers, recognizing them for the first time in the formation of Indian forest policy. The United Nations general assembly adopted the Declaration of the Right to Development on 4th December 1986, recognizing that development through economic, social, cultural and political process, It seeks to continuously the well-being of the population as a whole and of all individuals on the basis of their active, free and meaningful involvement in growth and the equal distribution of benefits resulting from it. The special attention given to Article 15(1) of the Constitution forbids discrimination on the basis of religion, ethnicity, caste, sex or place of birth. The State will have the right to make special arrangements for women and children, as well as for the advancement of any backward social and educational groups of people or SC/STs. Article 16(1) and (4), Article 17, 23 and 38 of Indian constitution deals with humanitarian rights. Like the United Nation declaration, the constitution of India has recognized and granted many rights to the indigenous people of India. The term "scheduled tribe" is understood in the Constitution of India to be "Adivasis. a word that usually known as popular names such as:

- adimjati (original communities/primitive people),
- anusuchit janjati (scheduled tribe)
- vanyajati (forest community),
- vanvasi (inhabitants of forest),
- adivasi (first settlers),
- janjati (folk people)
- pahari (hill-dwellers),

The tribals continue to live on their respective family land which has been their home for generations together. They are majorly dependant on forests for their economy and livelihood. They have a symbiotic as well as naturally reinforcing relation with forests. One of the most significant Acts i.e. 'The Scheduled Tribes and other Traditional Forest Dweller (Recognition of forest rights) Act, 2006'. It was passed in to law in India on December 18, 2006. This particular act is various names including the 'Forest Rights Act', the 'Tribal Rights Act', the 'Tribal Bill', and the "Tribal Land Act'. . The law focuses on the rights of forest dwelling communities to land and other resources which have been exploited by outside forces, using the justifications provided within colonial forest laws.

For other purposes, the diversion of forest land in the name of the development project presents a significant threat to the livelihood of the tribal group. Policies are in place to protect tribal sovereignty over their land, natural resources and livelihoods. Almost 17 years ago, one of the most significant pieces of legislation, called PESA, was adopted. It is unusual in being in line with customary laws, concentrating more on culture-based tribal hamlets than revenue villages. Nevertheless, hardly any measures have been taken to make PESA state amendments operational and regulations have been passed, but there is hardly any monitoring mechanism. Odisha field studies show that many individuals on the ground are not even aware of the legislation. Likewise, the Forest Rights Act is an essential step in respecting the pre-eminent tribal rights on forest land, but it has not yet harmonized well with forestry, wildlife and environmental laws. The tribal former communal owners end up as 'invaders' on protected forests as a result.

Livelihood Impact of FRA

The FRA is important pieces of legislation which can provide succour the forest dwelling communities in reducing their vulnerability and generate capacity to improve their livelihood, both in the short and medium period, if the provisions of the Act implemented properly. The Act provides forest dwellers with a number of advantages. Two accounts will assess the FRA's impact on forest development. One is the amount of forest land to be allocated and the depletion of forest in every one of them. Secondly, it concerns the degree to which improved livelihoods can provide incentives for beneficiaries to protect, grow and restore forests due to the implementation of the FRA. The main economic activities and basic sources of livelihood in the study areas of Odisha are agriculture, forest collection and wage labour. Despite this dependency on agriculture and forests, because of conventional methods of agriculture, major villages are deficient. Paddy, millet and potato are the main crops cultivated in the study areas. The principal secondary occupation in which people raise buffaloes, goats, pigs and cows is livestock rearing. Due to the absence of work opportunities in their own area, people migrate. Among men, seasonal migration is popular. Households, however, have access to both tangible and intangible resources that help them to meet their needs and achieve "livelihood results."

Methodology

In selecting the respondents for this study a multi-stage technique was employed. The primary stage is that the purposive selections of the Udula block in similipal forests area. The choice was because it's the biggest forest area in Mayurbhanj district where the collection for their livelihood. Then the data has been

collected with informal and open ended questionnaire. The study selected villages are Jamdiha, Phulbani (Nuagaon), Kundabai, Upar Taldiha and Matihundi. The data have been collected randomly 30 households (twenty) from each village. Total 150 samples were collected from the selected villages are used for the data analysis. It covers the socio-economic condition like sex, age, education, occupation, awareness, of the respondents in studies areas.

The interview scheduled methods would be followed to collect the primary data/ information. The primary data collected from the field was substantial with the secondary source collect from the books, research journals, article and working paper etc.

ANALYSIS AND DISCUSSION

Demographic profile of the respondents is full knowledge about the five studies villages. It is important to known about the age, sex, education, family size and occupation of the inhabitants. Hence, demographic profile is essential for our study, which is shown in below table-1 show the sex distribution of the respondents

Table: 1
Sex-wise distribution of the Respondents

Sex	Number of respondents	Total Percentage of respondents
Male	93	63.0
Female	57	37.0
Total	150	100.0

[Source: Field Data](#)

Sex of the respondents (table 1): From among 100 sample households covered in the study areas, 37 respondents (37%) were female and 63 respondents (63%) were male, thus higher percentage of males were interviewed.

Table: 2
Age groups of the Respondents

Age/Year	Number of respondents	Total Percentage of respondents
Below 20	13	8.7
21-30	20	13.3
31-40	21	14
41-50	50	33.3

51 above	46	30.7
Total	150	100.0

Source: Field Data

Age of the respondents (table 2):

Due to the absence of recording birth dates the age of the respondents are based on their own guess. In the process of this study, the researcher cross checked their responses against various prominent events that have occurred in their lives. The model group of the sample respondents as evident from the table was 41-50 years the highest percentage of the 50 respondents, i.e., is 33.3 percent then followed by 30.7 percent (46) respondents found for the age 51 above year and followed by 14 percent (21) respondents for those in the 31-40 age groups and 13.3 percent (20) respondents are age groups of 21-30. Below 20 year age groups are lowest 8.7 percent (13) respondents are respectively measuring there by that aged groups/ person respondent also occupying some important social position in the village.

Table: 4

Level of Education among Respondents

Level of education	Number of respondents	Total Percentage of respondents
Not formal literate	36	24.0
Up to 5th standard	40	26.7
Up to 10th standard	39	26
12th standard	22	14.7
Graduation	11	7.3
Other degree (Specify)	2	1.3
Total	150	100.0

Source: Field Data

Educational status of respondents (table 4):

Shows the education level of the respondents. Under the sample study, about 36 respondents (24 %) are not literate. The data on the table further reveals that about 40 respondents (26.7 %) were having their education up to 5th standard level and 39 respondents' (26 %) studies up to 10th standard. Another 22 respondents (14.7 %) have their education till 12th standard and 11 respondents (7.3 %) have done Graduation. Only 2 respondents (1.3 %) among sample studies other degree diploma and ITI level. The data thus points out that FRA even also acts as an option of livelihood earning for educated respondents.

Table: 6

Occupation among the respondents

Main occupation	Number of respondents	Total Percentage of respondents

Cultivation or agriculture	49	32.7
Seasonal daily wase labour	24	16
Helping husband in the agiculture field	46	30.6
Petty shop/Trade/Businees	7	4.7
Govt. and private job	7	4.7
Seasonal forest product	17	11.3
Total	150	100.0

Source: Field Data

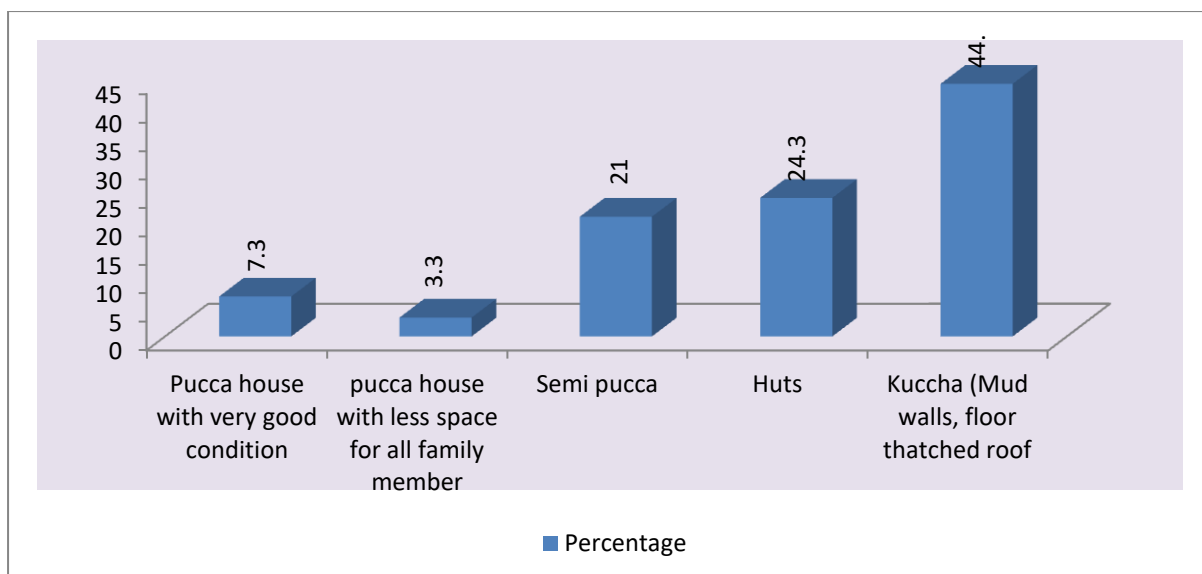
Occupation among the respondents (table 6):

the occupation describes the principal activities in which a person is engaged to eke out her livelihood. The respondents were engaged as daily wage labourers, labouring on their own agricultural fields, collecting forest products, cattle rearing and dairy farming, sellers of vegetables in the daily village market and such other activities. Table 6 shows that out of 150 household respondents, 32.7 percentages (49) respondents are primarily earn their own agricultural or cultivation fields. These respondents are earn their livelihood from seasonal daily wage labourers are 16 percentages (24) respondents, followed by 30.6 percentages (46) respondents women helping their husband in the agricultural fields. There are few respondents 4.7 percentages of (7) earn livelihood from petty shop/trade/ business, 2.7 percentages of (4) respondents earn livelihood from government employs then 2 percentage of (3) earn livelihood from private job. Currently 11.3 percentages (17) earn livelihood from seasonal forest products activities and some time engaged child rearing, cowherds any other activities.

Table 6.11: Distribution of Respondents based on Types of house

Types / house	Frequency	Percentage
Pucca house with very good condition	11	7.3
pucca house with less space for all family member	5	3.4
Semi pucca	32	21.3
Huts	36	24
Kuccha (Mud walls, floor thatched roof	66	44
Total	150	100.0

Source: Field Data



Types of house among the respondents table (6.11):

All respondent are ownership status of the house living in the owned areas. The housing pattern in the rural areas mainly comprise of muddy house because majority of the population in rural villages are poor. Table shows that majority 44 percentage (66) respondents of the sample household were observed to have Kuccha houses, 24 percentage (36) respondents household are residing in huts, 21.3 percentage (32) respondents in semi pucca houses and 3.4 percentag (5) respondents household in pucca house with less space for all family members. Only 7.3 percentage (11) respondents' household in pucca house with very good condition.

Table 6.13: House Ownership status of the Respondents

Status of build	Number of respondents	Percentage
Own Land	112	74.7
Govt. land	38	25.3
Total	150	100.0

Sources: Field study

During the field study sample areas respondents 74.7 Percentage (112) tribal respondents households have built their houses owned patta land and 25.3 percentage (38) tribal respondents built their house on Govt.land . It is clear that majority people built their house owned land.

Table: 6.14: Drinking Water Availability among Respondents

Drinking/ Water	Number of respondents	Percentage
Tube/ Bore well	109	72.7

Protect well/ open well	14	9.3
Piped Water	25	16.7
Any other (River side water)	2	1.3
Total	150	100.0

Source: Field Data

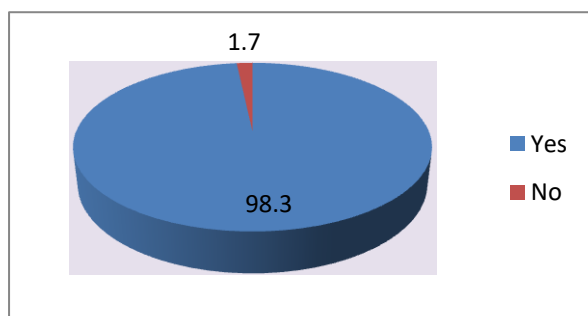
Getting drinking water among respondents (table 6.14):

shows the drinking water facilities in the study villages. An attempt has also been made to know from the respondents that from where they getting the drinking water for potable use. Table show indicates that 72.7 percentages (218) respondents getting drinking water from tube/bore well, 9.3 percentages (28) respondents among the protect well/ open well and 16.7 percentages (50) respondents among the piped water for the getting drinking water in the study areas. Only 1.3 percentages (4) respondents of the drinking water from the river side (locally, the river is called nadi). In the summer seasons the majority well gets dry and scheduled tribe people residing in the forest areas do not have other option than depending on the nearby river that is 2-3 km away.

Table 6.15: Availability of Electricity to the household’s respondents

Electricity	Frequency	Percentage
Yes	145	96.7
No	5	3.3
Total	150	100.0

-Source: Field Data



Electricity facility to the household’s respondents (table 6.15):

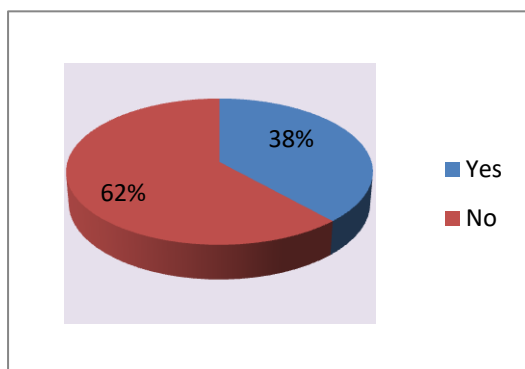
shows that access to electricity facilities. In the sample of 295 households respondents 98.3 percentages have electricity connections to their homes and overwhelmingly 1.7 percent (5) respondent’s houses are not having electricity. However, the

kerosene debris (the glassless lamp made up of tin) is the only alternative for the households which do not have electricity connection. Table 6.16 shows toilet facilities for the family member of the household among the respondents.

Table: 6.16: Availability of Toilet Facility

Toilet	Frequency	Percentage
Yes	57	38
No	93	62
Total	150	100.0

Source: Field Data



Toilet facility to Family Member (table 6.16):

Provided data of access to toilet facilities. Only 38 percentage (57) household respondents are toilet facility and 62 percentage (93) respondent houses are does not have toilet facility. Lack of awareness in the sanitary levels and also affordability for toilet is very difficult to the tribal people. In my field study I found that 38 percentages have toilet facility in the studies

respondents' house but they do not use. I found that 57 respondent house total toilet facilities among the only 10 percent use them. Other 90 percent do not have using they have open space toilet for the family members.

Table: 7

Aware of the entitlement of the forest rights act among the respondents

Aware/FRA	Number of respondents	Total Percentage of respondents
Yes	61	40.7 %
No	89	59.3%
Total	150	100.0

Source: Field Data

Awareness is the major element for the effective implementation of FRA more the awareness higher will be their participation level. Awareness builds the confidence level of the respondents as they then become knowledgeable about different entitlement of the FRA which facilities them to fully participate in the FRA. It was observed in study areas that majority of the respondents were unaware of the various entitlement of the forest rights act It is evident from the (table) reveals that out of 40.7 percentage (61) respondents are awareness and 59.3 percentage (89) respondents they remain unaware about various process and issues regarding forest rights act.

Table: 6.57: Distribution of the get land among the respondents

Get Land	Number of respondent	Percentage
Yes	46	30.7
No	104	69.3
Total	150	100.0

Source: Field data

Figures in parenthesis are total percentage

Obtain to land through the FRA among the household's respondents (table 6.57): depicts the percentage of land access to the forest dwellers family residing in udula, kuliana and jasipur blocks. There for it came in light that out of 150 families interviewed for the duration of the research only 30.7 percentages (46) respondents have access forest land (under FRA 2006) which is very less and 69.3

percentage 104 respondents are did not get land through FRA. The indifference scheduled tribes and other traditional forest dwellers under the legislative provision formulated for their natural habitation.

Conclusion

Over a period of time the researcher visited Mayurbhanj areas around three blocks and collected information mainly from Udula, Kuliana, Jasipur and also interacted with tribals peoples. The researcher found the tribal's people are very simple and living around the forest areas. They collect the forest product and graze their cattle. The fundamental abuse of human rights in the tribal areas of Odisha is poverty. Poverty eradication also faces two obstacles. First, it is important to constantly track and review the ongoing programmes in order to make them more successful and synergistic, as well as to expand their scope. The second and more daunting challenge is to get those who have been left out of the growth and development phase into the mainstream.

References

1. Behera.B (2015) An Analysis Of Symbiotic Relationship Between Forest Dwellers And Ecological Stability (In Special Reference To Jharkhand State). Journal Of International Academic Research For Multidisciplinary, Vol-3, Issue5, June 2015, Pp320-322.
2. Bijoy C.R (2008) Forest Rights Struggle : The Adivasis Now Await A Settlement, American Behavioural Scientists 51
3. Charan, Hari(2015) Forest Policy And Tribal Rights, Viewed On 9 March 2017 (Ssrn.Com).
4. Choudari, Buddhadeb (2007), "Forest And Tribals: A History Review Of Forest Policy", In Chittaranjan Kumar Paty, (Ed). Forest Government And Tribe (New Delhi: Concept Publishing Company) 1-17
5. Das C.R. (2014) Tribes And Forest In Orissa: Some Critical Issues, International Journal Of Research And Development- A Management Review.
6. Desai. V (1991) Forest Management In India: Issues And Problem, Hamalaya Publishing House, Mimbai
7. Devi,K.Uma (2006)Tribal Rights In India (New Delhi: Serials Publications) 231-235
8. Guha R. (1983). Forestry In British And Post Britishindia: A Historical Analysis, Economic And Political Weekly, 18 (45/46): 1940-47.
9. Joshi, Satyakam, Tribal And Forest Policy And Forest Right Act 2006, Arthat Vol.24, No-3-4, October-December-2005.
10. Kulkarni, S. (1987). Forest Legislation And Tribals Comments On Forest Policy Resolution, Economic And Political Weekly. 22(50): 2143-21
11. Sarangi, T.K. (2019) "Reform In Forest Tenure And Livelihood Impact: Implementation Of Forest Rights Act 2006 In Odisha And Jharkhand", Journal Of Land And Rural Studies.
12. Sarap, K, (2007) "Forest And Livelihood In Orissa" In Oliver Springate, Banginski And Piers Blaikie (Eds.) Forests, People And Power, The Political Ecology Of Reform In South Asia (Earth Scan In The Uk And Usa).

13. Upadhyay S (2007) Assessment Of Orissa Pesa –Legal Perspective. Draft. Newdelhi: World Bank.