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Q6(c)

Explain the difficulties experienced by scheduled tribes with regard to implementation of the 'Recognition of Forest Rights Act, 2006'

UPSC Civil Services Mains 2016 · Anthropology GS 2 · 15 marks · Problems of exploitation and deprivation of Scheduled Castes, Scheduled Tribes and Other Backward Classes. Constitutional safeguards for Scheduled Tribes and...

7.1 Problems of exploitation and deprivation of Scheduled Castes, Scheduled Tribes and Other Backward Classes. Constitutional safeguards for Scheduled Tribes and Scheduled Castes.

Core demand of the question

- Explain the difficulties experienced by scheduled tribes with regard to implementation of the 'Recognition of Forest Rights Act, 2006'
- Keep the answer to a 15-mark length of about 200 words

Revision summary

FRA titles need proof that oral jhum lives rarely keep on paper.

Forest departments delay or reject many **gram sabha** claims.

Community rights lag behind tiny individual pattas.

Mines in **Fifth Schedule** belts outrun the Act.

Women and groves are poorly fitted to the form.

Introduction

The **Forest Rights Act, 2006**, promises individual and community titles to forest dwellers. Scheduled Tribes meet a wall of proof, officials, and overlapping claims when they try to use it.

Body

Proof and process

- Occupancy evidence is demanded for lives that were oral, jhum, and unsurveyed.
- **Gram sabha** claims are delayed, remanded, or rejected by forest departments that still treat the jungle as their estate.
- **Community forest rights**, the stronger collective tool, are rarer than small individual patches.

Political and economic blocks

- Mining and plantation 'public purpose' in **Fifth Schedule** Jharkhand, Odisha, and Chhattisgarh race ahead of titles.
- **PESA** consent is skipped, so FRA becomes a paper after the lease.
- **Nehru's Panchsheel** named land first; implementation still names the plantation first.

Social difficulties

- Women and shifting cultivators are under-recorded on pattas.
- NGO help is labelled interference. Without it many hamlets cannot file.
- **Vidyardhi's** spirit grove is not a category on the form.

Flow diagram

FRA 2006 2006 -> Claim gram sabha

Claim gram sabha -> Rejection delay

Mining leases -> Rejection delay

Conclusion

ST difficulties with FRA are evidential, departmental, and political. The Act is a rights text; the forest file remains a fortress.

Facts & figures

FRA 2006

Recognises forest rights of ST and other traditional forest dwellers.

Community forest rights

Collective titles that implementation has granted far less often than individual claims.

Gram sabha

The statutory first authority on claims, often overruled in practice.

Panchayats (Extension to Scheduled Areas) Act (PESA)

Companion consent law that mines frequently bypass alongside FRA.

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