



Implementation Of The Schedule Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006 In Odisha

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Abstract

The Schedule tribes and others traditional forest dwellers (recognition of forest rights) act, 2006, popularly known as FRA, aims to “undo historical injustice” to forest dependent communities. Odisha being one of the tribal dominated state in the country becomes an important state to assess the implementation of the act. Data reveals that the implementation of this act is of relative success in compare to its potential. This article looks deep into the structural and institutional hindrances affecting its implementation in the state. This work also looks into the Adivasis-state relations from pre-colonial to present time.

Keyword: Community forest rights, Adivasis, state, implementation, neo-liberal, Odisha.

Introduction

The relationship between tribals and forest is of mutual nurturism which holds the key to tribals lives, livelihood and ecological sustainability. But these basic rights of tribals were not recognised by the Indian state while consolidating forest land area in the name of protected and reserved forest in pre- and post-independent India. It has led to a sense of alienation and tenurial insecurity among tribals. This has further aggravated by the threat of eviction due to different developmental projects and minings. This has led to tribals discontentment and upsurge in different tribal areas. The future of India's forests is inseparable from the future of India's Adivasis. Forest conservation is possible only if people's rights are recognised and established within a larger programme of tribal development.¹After a long struggle and activism of tribals, civil society groups, NGOs, etc. Government of India enacted Forest Rights Act-2006.

The Schedule tribes and others traditional forest dwellers (recognition of forest rights) act, 2006, popularly known as FRA, aims to “undo historical injustice” to forest dependent communities and to bring positive changes and impact livelihood of forest dependent tribal communities by granting them right to land, right

¹Amita Baviskar, 1994, *Fate of the Forest: Conservation and Tribal Rights*, EPW

to use forest product and conserve forest and denoting them encroachers to rights holders. By acknowledging their rights, responsibilities, and authority for sustainable use, biodiversity conservation, and ecological balance maintenance, the Act fortifies the forest conservation regime while ensuring the livelihood and food security of scheduled tribes and other traditional forest dwellers. The Act addresses the main aspects of land occupation that had been the primary barrier to establishing the food security and livelihood status of the forest dwellers, recognizes and vests the occupational rights of an individual, family, or community on the date of the Act's commencement, and restricts to the area under occupation to an extent not exceeding four hectares.

Thus, the right to own and live on forest land under individual or group occupation for habitation or self-cultivation for food security and subsistence has been granted to members of scheduled tribes and other traditional forest inhabitants. It also recognizes the rights to ancestral land and their habitat that were not adequately acknowledged during the State forests' pre-independence and post-independence consolidation, which resulted in historical injustice to scheduled tribes and other traditional forest dwellers who are essential to the ecosystem's survival and sustainability.

The right to utilize up minor forest products, such as bamboo, cane, coconut, honey, medicinal plants and herbs, roots, tubers, and the like, is also emphasized. Following a verification and approval procedure, eligible candidates get formal land deeds, or patta, from designated State government officials in accordance with the stipulations of the FRA. Individual rights and communal forest rights are the two categories of rights that can be awarded. Those who have spent three generations (75 years) mostly on forest land are qualified for these rights, according to the eligibility standards. The rights are granted to anyone who lived in forest areas before to December 13, 2005, and who depend on the forest or forest land for their legitimate requirements. In light of the aforementioned, the Act offers a broad opportunity to address the long-standing insecurity of tenurial and access rights of scheduled tribes and other traditional forest dwellers, including those who were previously forced to relocate their dwelling due to state development interventions, and to give them a practical means of establishing their status as legitimate citizens of the Indian sovereign in terms of food security and livelihood.

But as of July 2025, nearly one third of all FRA claims had been rejected nationwide, according to the latest monthly progress report prepared by the ministry of tribal affairs. The national committee on FRA (2010) found that unreasonable condition not required by law are made on the claimants and in an overwhelming majority of cases, the rejections are not being communicated to claimants and their right to appeal is not being explained to them. Institutional ambiguities, lack of political willingness and bureaucratic apathy are the major hindrances to this historical act.

Schedule tribes constitutes 8.6% of total India's population (2011 census). According to India state of forest report (ISFR, 2024) 25.17% of the geographical area of the country is forest cover. The report indicates most of these forest covers are in tribal districts. Forest is the main source of livelihood for tribals and their socio-economic life. They are mostly dependent on forest for timber and non-timber forest produce, fodder, fuel, bamboo, etc.

Given the historical exploitation of forest, forest resources and forest-dependent communities, FRA is a landmark act in changing lives of tribals and changing the relation between state and tribals by guaranteeing them right to forest. This act aims to “balance right to environment with right to life and livelihood”. It has guaranteed both individuals and community rights to forest and forest resources. The act was amended in 2012 to grant rights and more autonomy to forest rights committee, gram Sabha and autonomy of forest dwellers over case of forest resources.

22.85% are STs of the total population of Odisha. They comprise 62 tribes, including 13 particularly vulnerable tribal groups (pvtgs). Out of the total area of the state, 44.7% is schedule area as per the fifth schedule of the constitution of India. The majority of the tribes live in the 12 districts coterminous with the schedule area in south of the state (the most backward area) and other hinterland districts. Most of them are below poverty line and lack access to health, education and two square meal a day. Developmental policy of government of Odisha since independence and mining in these areas have made tribals displaced, unsheltered and more vulnerable. Given this situation Odisha becomes an important field to study forest rights act which in laws tries to empower disadvantaged tribal community.

Research objectives

The principal objectives of this study are as follows.

1. To understand the socio-economic condition of tribals in India in general and Odisha in particular.
2. To find out the operations of the laws in fulfilling its objectives,
3. To understand contemporary transformation in Adivasi community state relations.
4. What is the progress of FRA?
5. To find out what are the hindrances for implementation of the act.

Methods of study

This paper looks into the implementation of the Forest Rights Act based on a critical review of literature. This article draws on secondary data such as research publications on tribal issues, reports collected from the Government and Non-Government Organization about tribal activities, newspaper reports, government orders and unpublished reports produced by Non-Governmental Organization (NGO), magazines, journals, books, and other research materials related to tribals Gazette Reports of the Government of India and the Government of Odisha. This paper invariably based on critical review of literature as well as theoretical and conceptual understanding of tribals relations with state.

Conceptual framework

The study has used the theoretical framework the neo-liberal arguments and justifications for model for development practised by government in both developed and developing countries.

The neo-liberal economic rationalization ignores the environment, marginalization, deprivation of life and livelihood, and resource sustainability. ² The issues that indigenous peoples face are widely acknowledged

² UN – United Nations (2010), *State of the World's Indigenous Peoples*. New York: Department of Public Information.

to be universal. They endure colonization, the loss of their lands, territories, and resources, prejudice and oppression, and a lack of control over their lifestyles as a result of historical injustice. In the quest for economic expansion, colonial and contemporary states have mainly disregarded their right to development. Because of this, indigenous peoples frequently lose out to more powerful actors, making them one of the nation's poorest populations. Even though India has a number of laws protecting Adivasis and their habitats, including Schedule V, PESA (Panchayat Extension to Scheduled Areas, 1996), FRA (Forest Rights Act, 2006), and Land Alienation Act (non-transfer of Adivasi lands to non-Adivasis), mega national corporations and multinational corporations have routinely broken these laws and encroached on their territory in order to extract minerals and other natural resources. Corporate encroachment on indigenous lands is the responsibility of the state.

The proposed study will also examine the concept of eminent domain and its relation to illegal land dispossession in Adivasi areas. Eminent domain is the legal weapon that refers to the inherent power of the state to seize citizens' property without their consent, but usually with some compensation.

Review of literature

(Guha,1987) has looked into forestry policies in its socio-economic context through analysing existing power relationships. From the early days of forest administration, there have been revolts in different tribal areas as the loss of community ownership broken the link between man and forest due to declaration forest area as reserved and protected areas forest. Colonial times mercantile interest and post-colonial times national interest and rapid industrialisation ignored the ecological considerations and tribals concerns. Large scale exploitation of resources led to tribal unrest and a reverse more repressive state's reaction which ultimately resulted in greater power to forest and police bureaucracy.

(Behura ,2002) to demonstrate how Orissa's indigenous populations are exploited and deprived by the development mind-set. Tribal people's lives are significantly impacted by forests. The forest is integral to the tribal people's way of life and culture. For many tribal tribes, minor forest products account for between 15 and 50 percent of their revenue. Additionally, Behura contends that the six shifting farming practices in Orissa have an impact on the tribal people's social structure, economy, political organization, and religion. On hill slopes covered in woods, the indigenous people freely engaged in shifting cultivation and exercised their traditional rights over the territories they occupied. Additionally, he examines how Orissa's mining and industrialization have uprooted tribal settlements and turned the displaced into industrial nomads. Their house, property, and other real estate have all been lost. However, most of the time, their aspirations have increased due to their exposure to urban culture, even though they are unable to achieve their growing goals.

(Bandi,2013) has observed that, FRA was introduced with the aim to reverse the historical injustices to tribal communities but its implementation resulted in both preceded and unprecedented challenges. It is preceded because forest bureaucracy's unwillingness to give up its monopoly control over forestland which was materialised in the form of creating hurdle at every stage of implementation of the act. It is unprecedented because of overlapping of existing laws and misrepresentation of the act by State government.

(Sarap et.al, 2013) claims that the FRA's implementation in Odisha started without adequately sensitizing the implementing authorities or educating local stakeholders about its various facets. Many potential beneficiaries have been unable to apply for benefits under various Act sections due to the tribal area's low literacy rate and restricted access to various communication channels. The local implementing agencies have not taken the initiative to provide beneficiaries with appropriate guidelines or documentation to back up their claims.

(Satpathy,2017) The implementation of FRA, which purports to protect the fundamental rights of forest dwellers and provide "complete justice," is hampered by a number of flaws, including asymmetric information flow, poor coordination, undemocratic participation, and a lack of transparency and accountability at various levels. He further emphasized how the act is "gender blind," disregarding the opinions and concerns of women regarding forests.

(Baviskar,2018) has highlighted, to understand processes of “socio-nature “and environmental conflict one must analyse who alter and exert power, cultural geography of class, caste, nation and gender and political economy of land transformation. by studying urban jungles of mangarbani and the Delhi ridge highlighted how urban upper-middle class who had benefitted from the cleaning of ridge later became saviours of the city’s green areas only because of their self-interest. his main argument is how marginalised section have never figured in urban conservation which leads to uneven effect.

(Lalfakzuala,2020) has noted that the Forest Rights Act lacks perspective. According to the author, the public's perception of the Forest Rights Act as a radical piece of legislation needs to be tempered if its sole purpose is to return forest land to tribes. However, if its overarching goal is to alleviate the centuries-old hostility against forest inhabitants, it must also acknowledge and address the colonial beliefs and attitudes that permeate institutional procedures and practices concerning forest dwellers. Author also highlighted FRA by focussing only on past deeds lack a clear future vision for forest governance.

(North,1999) argues about the ideas and ideologies that inhabit the policy space matter. He emphasizes on system of beliefs and ideas, human deliberation, quality of actor’s intentionality and creativity that play an important role in success and failure of a policy implementation.

(Savyasachi,2011) observes that, the claim that forest rights act is a historical achievement to undo “historical injustices” and a successful achievement of 200 years of tribal struggle is diluted. Their sense of belonging ‘reciprocal embeddedness’ have been diluted State’s concept of justice was imposed on tribals. People’s perception of justice and environmental thinking from the world view and practices of forest dwellers and tribal people were ignored.

(Vasan,2016) argues that, the failure of FRA can itself be viewed as the success of certain ideological frameworks. Author argues, Adivasi struggle for forest rights in India has to continuously engage with the limits of legalism, in a situation in which, on the one hand, law enters their life space riding on the notion of ‘eminent domain’, while on the other, legally mandated state institutions are often the principal violators

of the 'rule of law'. She states how the conservation and developmental agendas have led to expropriation of forests and bureaucratic expansion in Adivasi's lives.

(Jha and Rahul,2017) argues that, policy ideas within the government create interest within the state. Hence, one cannot comprehend the behaviour of the state without paying close attention to the dominant ideas within the state.

(Mohanty,2014) argues that, in Odisha upper caste and patriarchal domination has been consolidated and further accentuated by neo-liberal extractive capitalist economic policies and their implementation through a massive deployment of security forces. he argues in resource rich region like Odisha governance consists of corporate linkages aimed at securing investment and political support for welfare initiatives for poor and repression of people's movement.

(Sengupta and Jha, 2020) has observed that, a proper forest governance can lead to reduction in poverty, mitigation of the effect of climate change and sustainable use of forest resources. Author observed the rate of rejection of CFR high as providing legal document is difficult due to customary rights of forest dwellers. Author argues chief hindrance in FRA implementation is powerful lobbies of conservation groups, forest bureaucracy and mining companies. Mobilization and capacity building through CSOs is important for success of FRA.

(Jain and Das,2019) has looked into colonial and postcolonial forest policies and find out the continuity in the forest laws in the form of earlier forest law serving imperial interest to serving national interest of industrial and defense needs in post-independence period. Author argued that Structural problems and power dynamics impeding democratic forest governance and resources.

(Das,2021) has used the idea of "institutional work" as a theoretical framework for analyzing the mechanisms behind institutional transformation in intricate, multi-level institutional systems. It is claimed that states have altered the FRA Act's institutional framework to suit their own political agendas because it is unclear.

From the above literature reviews, we can understand that forest and agriculture are basic sources of livelihood for all the Indian tribes. But these constitute an important arena of contestation between tribals and state. This continuous engagement has resulted in various types of tribal movements and granting of autonomy to tribals by the state. Still this has not resulted in real empowerment of tribals. The analysis of the literature also shows that, in spite of the government's greatest efforts to better the lives of tribal people through a variety of programs and policies, the government's policies have failed in this regard. The current study examines how the Forest Rights Act in Odisha, a historic policy for tribal empowerment, is being implemented in an effort to pinpoint the issue at the micro level.

Implementation of FRA in Odisha

In Odisha tribal people's dispossession has also been influenced by laws and policies pertaining to forests. Large areas of land have been seized by the state without acknowledging the tribal populations' customary rights. The previous protected and reserved areas were transformed into protected and reserved forests by the Orissa Forest Act of 1972. The Orissa Prevention of Land Encroachment Act of 1972 was likewise passed by the GoO. Its main goal is to stop unauthorized people from occupying government land. In an effort to preserve wildlife, the Wildlife Protection Act of 1972 expanded governmental authority over land. Given this context, Forest rights act is an important legislation for tribals in Odisha.

As per the 2011 census, Odisha is ranked third in terms of ST population nationally. The state is home to 62 different tribes of which 13 are recognised as Particularly Vulnerable Tribal Groups (PVTG). The tribal population of the State is 95,90,756 which constitutes 22.85 percent of the total population. Out of nearly 53,845 villages in the State, there are about 32,562 FRA potential villages. The estimated potential forest area over which forest rights can be recognized in Odisha is approx. 35,739 Sq. KMs.

All the claims for forest title rights first reviewed by gram Sabha in Odisha then sub-divisional level committee followed by district level committee. Overall monitoring of the FRA act implementation is supervised by state level monitoring committee.

As per the data available in ministry of tribal affairs on status of State-wise implementation of the act and the information collected till now reveals that 51,56,090 claims (49,43,662 individual and 2,12,428 community claims) have been filed and 25,13,062 titles (23,91,199 individual and 1,21,863 community titles) have been distributed. A total of 43, 86, 436 (85.07%) claims have been disposed of.

Nearly 15% of all forest and community land claims under the Forest Rights Act (FRA), 2006, remain pending — with Telangana, Odisha, Assam, Gujarat and Maharashtra accounting for most cases — prompting the Ministry of Tribal Affairs (MoTA) to urge all states and Union Territories implementing the law to clear the backlog.

In the state of Odisha, till July 2025, total 7,68,373 claims were received and out of which 4,72,119 have distributed with the extent of forest land covering 1439807.86 acre. 1,46,340 are the total rejected claims at the district levels.

Among these claims, total 732530 individuals claim were received and 463129 have been distributed. In total, 35843 community forest claims have been received and out of which 8990 claims have been distributed.

Though certificates of titles have been distributed to 472119 title holders, actual demarcation of land has been completed only in respect of 428,9664 cases. Demarcation of land is still pending for 1,26,079 cases

Even after SC judgement of 2019, which ordered states to evict rejected claimants as encroachers a huge backlash was followed leading to stay order. Yet, reviews have not been carried out in accordance with the

procedures laid out in the FRA and its rules. No reliable data exists on the rejected claims or the reasons for their dismissal.

One of the success of FRA from the perspective of the state is its ability to transform the discourse of autonomy into one of the demanding rights. But the recognition of Adivasis rights cannot be limited to their individual rights and ignoring their community rights which is central to Adivasis conception of sustainable living and livelihood and which devoid of conception of commercial interest. By doing this, the FRA-2006 will be implemented more successfully and forest people will be guaranteed social fairness and respectable livelihoods.

Forest titles had been given out more liberally in the Indian state of Odisha. However, applications for communal forest rights have typically been denied, and non-tribal forest inhabitants have had a harder time obtaining titles. Many rural populations in Central Odisha have relocated to forested areas after being uprooted by hydropower projects during the 20th century. These communities failed to acquire titles to occupied land despite decades of occupation because their FRA claims were consistently denied due to a lack of supporting documentation.

Some conservation groups, who challenged the FRA in the Supreme Court, claim CFR rights may lead to deforestation and overexploitation. Yet, ground realities in Odisha tell a different story. In fact, CFR rights have emerged as one of the most democratic and effective means of ensuring forest protection. Several communities have not only regenerated degraded forests but have also adopted sustainable practices following CFR title recognition.

Around 23,00,000 hectares of forest can be recognized as CFR in the state. In practice, experts say, there has been a serious shortfall in the implementation of the CFR-just 5% of the area under CFR has been settled through the award of legal title deeds between 2006 and 2024, according to report available in *mojangaljami* site of Government of Odisha.

According to a 2017 study conducted by the Ministry of Environment, Forest and Climate Change (MoEF&CC), over 70 % of plantations have been executed on forest lands instead of non-forest lands which is in violation of the guidelines issued under the Forest Conservation Act, which states that compensatory afforestation must be undertaken on non-forest land in the same district where forest land has been diverted for non-forest purposes.

Eminent domain and forest departments

The state, from the 19th century onwards, unlike kingdoms of the old, appropriated all land not belonging to legitimate property owners through a broad field assertion of eminent domain.

This historical process of appropriation of all "free" land is mirrored in the forests by the colonial drive to pacify and settle the tribal. The economic drive that accompanies this appropriation of forests throughout the colonial period is the claim to ownership of major forest produce timber, and this drive found its

expression in the history of the colonial forest policies across British India in the late 19th and early 20th centuries.

Iron ore mines in the post-Independence India, the state's coveted defense of its authority to use forest territory to produce wealth has been complicated by modernization projects Southern Chhattisgarh region, Balimela in Odisha, the Upper and Lower Sileru dams in north eastern Andhra Pradesh, Srisailem in the Nallamala Hills (AP and Telangana), and other such Ventures across the country now make it convenient not so much to have forestry as a culture keeping forests alive, but rather of destroying forests in the search for minerals, irrigation, power and industry.

In neoliberal India. these have now echoed in the industrial greed for forest land, the prime example being the Odisha Mining Corporation and Vedanta Limited's drive for mining rights in the Niyamgiri Hills.

The state's sovereign ownership also exists in the fantasy of a forest that lives without legitimate people in it. What was once the tribals free usufruct is now the state's domain.

As the true intruder and bully the state forest departments have time and again summarily dismissed what the tribals produce as evidence, and also the corroboration by the gram sabhas regarding their right to traditional residence.

It is as if the forest departments are the only claimants to the forests which former assume in the person of their Forest Officers, the sovereign right to eminent domain. It is this modern bourgeois "statist" mindset that is the final blow to any preservation of the right of the tribal to autonomy.

Forest right vs authority

FRA provisions for the rights of tribals are truly remarkable in their breadth and depth of Vision. As with all such progressive enactments, the politics/commitment of having written and passed such an enactment has doubtless blinded the lawmakers to the entrenched opposition it will face from the authority of the state departments in charge of forest conservation under the various forest policies and acts.

This is a government where one-part (Ministry of Tribal Affairs or Mo TA) battles another (the state forest departments which report to the Ministry of Environment and Forests) over authority.

What was once their private bureaucratic fiefdom had been taken from their control. The rejection of the thousands of claims clearly shows how the gram Sabha's authority has been denied, destabilized and hijacked by the forest departments in pursuit of their own agendas. There are also cases where the MoEF and the state level Forest Departments are systematically diverting forests for industrial use.

FRA in The Context of Neoliberal Economy

Time has demonstrated that development and forest inhabitants' rights have always been at odds, with both trying to outcompete the other. According to F.G. Bailey and other academics, it has been going on for a very long period. Forest land was classified and made profitable during the British colonial era, which resulted in its alienation. In order to extract its natural resources—bauxite, copper, coal, iron ore, and more—

the state of Odisha has formed a cooperation with global firms. The majority of these resources are located in areas where its tribal population resides. Over 60% of India's bauxite reserve, the largest in the world, is located in Odisha. The government of Odisha found bauxite in these areas in the late 1980s, and after financial liberalization in 1991–1992, the state has been collaborating with several multinational corporations to extract bauxite for the production of aluminum.

Paradoxically, 44.70% of the State's land falls under Schedule V of the Indian Constitution, which includes some of the nation's poorest regions (Elwin, 1936). In spite of their abundant resources, almost half of Odisha's tribal households are impoverished. Since these protected scheduled regions include a large portion of the nation's mineral resources, the state continuously modifies them in order to harvest all the rich resources and aid in the state's quick expansion. It is evident that the state publicly prioritizes corporate profits and interests over the welfare of its citizens.

Anthropologist, Felix Padel, and the activist, Samarendra Das, in *Out of this Earth* provide a comprehensive analysis of the social and environmental impacts of the mining boom in Orissa. They document the extensive collusion, between politicians/bureaucrats and the private companies, which has displaced scores of tribals from their land they inhabited for ages. The autonomous and non-violent resistance of tribals to destructive mining has often been misrepresented by the State, corporate interests, and even by the media at times to label it as a "Maoist threat".

The creation and operation of the law are shaped by several conflicting social factors, making legislation a contested area (Menon 2007). Adivasi struggles have resulted to the enactment of laws such as PESA and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. Tribal land rights are protected by laws, but history has shown that vested interests frequently work with officials to get around these rules and regulations.

In short, despite the overwhelming legislative and executive measures adopted by the Gol and GoO, the ground reality of land and forest relations of tribals, however, remains disturbing in Odisha. The overwhelming conclusion around FRA implementation in Odisha is that is a relative success. Various factors responsible for slow implementation in various districts are institutionalized extortion, land acquisition by government and nontribal in wrong way, internal colonialism of industrial elite, lack of interest for community forest rights, no proper demarcation of allotted land, unawareness among tribals, lack of access to judiciary, political and bureaucratic unwillingness, etc. So, the biggest challenge for the state government is to implement the existing legislations more effectively and meaningfully in all part of the state and reframe legislation according to the tribal society's needs.

Conclusion and suggestions

Despite the FRA Act being in vogue for more than 19 years, the implementation of the act is far from satisfactory. The nation's forest inhabitants have been fighting for their land titles. However, the FRA was still regarded as a "toothless tiger" in 2025, making negligible gains to the standard of living for populations that depend on forests. Tribal communities also suffer from incorrect denials of their claims, which are typically the result of hurried inquiries and a lack of careful review of the rejected cases by higher-level committees or senior officials. The claimants are not informed in writing of the decisions made on the denial of their claims, which prevents them from exercising their right to appeal.

There has been inadequate preparedness and lack of trained staff for implementation of FRA at the grassroots level which is evident from scholarly study. Land survey, demarcation of boundary and settlement of land rights is a laborious, complex and time consuming activity. The State Level Monitoring Committee has to devise criteria and indicators for monitoring the process of recognition, verification and vesting of forest rights in the State. But it has grossly failed to address the issue.

Though the FRA provides for multi-stakeholder verification and decision-making at various levels, in many places the opinions of bureaucracy appear to have over-ridden all else. Lack of coordination among the departments of Forest, Revenue and Tribal Welfare in the implementation of FRA is most visible from the current study. Here, to, just making better laws is not enough to secure meaningful justice as said by Amartya Sen.

The Act is also considered 'gender-blind', ignoring women's views, concerns and decisions in forest governance, this again requires capacity building of the community, particularly of women, for facilitating inclusive decision-making.

There is lack of implementation like non-completion of the demarcation of community forest area or the delay in settlement of claims or procedural deficiencies, as assessed by the information gathered. CFR has the potential to drastically alter forest governance by, among other things, granting community forest resource rights and management authority to communities that live in forests, whereas IFR guarantees an individual's right to hold, self-cultivate, and live in forestland under individual or common occupation. However, CFR recognition is lacking in districts.

According to Fleischman and Rodriguez, public policy is likely to be ineffective in the absence of any demand for participation and the ability to participate among potential beneficiaries. This paper also advances the view that the mere existence of implementing agencies will not result in the policy being precisely executed. Negotiation strength and a commitment among stakeholders to enforce and adhere to legal procedures, as well as, crucially, guarantee consistent collective action at all levels, are unavoidably necessary for the successful recognition of CFR and the exercise of recognized rights.

The much-heralded redressal of historical injustices for tribals and the constitutional promises of 'complete justice for all citizens in India remain in need of further activist attention and engagement.

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