

Campaign for Survival and Dignity (CSD)

Threats and Lobbying against Community Forest Resource (CFR) rights-FRA

Statement of facts

Comrades,

The Forest Rights Act, since its enactment in 2006, has been relentlessly attacked by forest bureaucracy and officials. From challenging the very constitutional validity of the act to creating systemic hindrances, the anti-FRA lobbying has become far more intense under the NDA government. In February 2019 the government failed to defend the law in the Supreme Court leading to an order that would have resulted in the eviction of millions of forest dependent families. The court put this order on hold after nationwide protests by forest dwellers forcing the government to intervene in court and clarify the situation that claims were rejected unlawfully and that all rejected claims need to be reviewed. But since then, the forest bureaucracy and officials launched an even more systemic attack against FRA, particularly related to community forest resource (CFR) rights and the CFR based governance and management. Instead of ensuring FRA implementation and effective recognition of rights the Ministry of Tribal Affairs [subverted its position and handed over powers to the Environment Ministry](#) closing its eyes to the obstructions of the Forest Department (FD) in recognition of CFR rights. In fact, the Ministry enabled such opposing interventions by the forest bureaucracy. These attacks at different levels are against:

- Recognition and determination of CFR Rights
- Exercise of the authority of governance and management over CFRs and under Section 5 (including demands for cancellation of recognized CFR Rights)

The forest bureaucracy knows that loss of the control over these vast CFR areas to the Gram Sabhas would mean the potential loss of access to huge funds that are being globally mobilised towards the forest lands and resources and income in the name of carbon and biodiversity credits, the eco-tourism, the economic valuation of landscapes and forest resources and the resultant service charges, and biodiversity management, conservation and climate mitigation.

What has happened recently (2025-2026)?

On 03.11.2025, AK Jha, a retired PCCF of Maharashtra, a strong proponent of the use of Satellite imagery to recognise forest rights and a resource person for FRA trainings, wrote to MoTA to stop illegal recognition of CFR Rights to ineligible Gram Sabhas on ineligible forest lands. In his letters sent in April and July 2025, the key aspects that he targets are:

- Eligibility for CFR Rights is to be determined by reading Section 3(1)(i) with Section 4(3) implying that they have to prove that they have been traditionally conserving and protecting the 'customary forest resource' for sustainable use and that they are in actual occupation of the forest land before 13.12.2005.
- No one is auditing the recognised FRA claims whereas the rejected claims are being opened up for review. So approved claims should also be reviewed.

- The Rule 12 B (4) which states that reasons for not recognising CFR Rights for any village should be recorded by the DLC is forcing DLCs to recognise CFR Rights illegally even when the village does not have it.
- The FRA potential mapping in FRA ATLAS in each state is based on 'pure presumptions' and that CFR Right can only be recognized on a land defined in Section 2(a) where he gives his own meaning of *customary common forest land* in it as
 - (i) under collective occupation of community and not those under the control of FD (ii) and not individual rights (iii) where they govern by traditional practices and not under formal written laws and (iv) managed by community through their established traditions.
- The areas under JFMs are entirely under the occupation of the Forest Department and not by the community, and JFM is a modern management method. So JFM areas do not come under CFR Rights.
- the main reason for FD's resistance to FRA is this mischievous interpretation of CFR and CFR Right.
- the recent upsurge in Chhattisgarh against the letter by PCCF objecting to the 'grants of approval to illegal CFRR claims' is mobocracy violating the law of land. The Forest department is an innocent victim whose directions and orders are being branded as 'opposing FRA'.
- that MoTA should reopen all cases of CFR Rights and cancels all wrongly granted ones.

Jha also approached various state governments such as Chhattisgarh on 21.05.2026 and the Andhra Pradesh, Tamil Nadu, Orissa governments on the 27.05.2026. In Chhattisgarh, he alleges that CFR Rights have been recognized wrongly on forest land under the occupation of forest department which is not under the occupation of the community and not under traditional community practices but governed and managed by the Government forest laws and working plan.

On 10.07.2026, the Ministry of Tribal Affairs responded to Jha's above representations stating that:

- Ministry is the nodal agency for administering legislative matters and the State /UT governments is responsible for its implementation.
- The State governments have been undertaking mapping of potential forest rights in coordination with related departments.
- Environment Ministry itself issued an advisory on 21.05.2024 asking State Forest departments to provide digitized boundaries of forest areas in shape file format and necessary support to concerned State Tribal Welfare Departments to aid in the implementation of FRA.
- The state governments are developing FRA Atlas to facilitate awareness, prioritization and planning by identifying villages where CFRRs may potentially exist.
- FRA ATLAS is neither a statutory document nor an instrument for recognition of rights.
- The recognition and vesting of rights under FRA are through the due process of law.

On 27.07.2026, the Ministry of Tribal Affairs and the Ministry of Environment issued a joint letter on community forest resource rights where they state that:

- The CFR Management Plans need to be prepared and implemented in harmony with the approved working plans of forest department, in line with the provisions of National Working Plan Code 2023.
- The working plan to indicate the nature and extent of IFRs and the CFRs along with the prevalent management practices.

- The district level CFR Monitoring Committee can facilitate such institutional convergence by doing necessary coordination with the Forest Department and facilitated the integration of Gram Sabha approved CFRMP with the FD working plan during its revision.
- In cases where CFR Rights have been recognized but the CFR management plan has not yet been prepared and where the FD is undertaking preparation of revised Working Plan- the plan working plan shall incorporate the management practices and document them in consultation with Gram Sabha aided by Gram Sabha resolutions.
- To guide and review the preparation of CFRMPs and their integration in approved working plans, the SLMC may prepare State Level Action Plan with define timelines.
- To facilitate the convergence of resources from various govt schemes, including the Forestry funds for implementation of CFRMPs.

A little background: What has happened since 2019 till date?

➤ 2020 IA filed in the Wildlife first case

An Interim Application Seeking Permission to Urge Additional Grounds was filed by the Wildlife First, the Petitioners in IA No. 123418 of 2020 in WP(C)) in IA No. 109 of 2008. They now challenge the 2012 FRA Rules. They want the use of satellite imagery to be made mandatory, to do away with affidavits and oral evidence, FD to take control of and regulate Minor Forest produce collection and the overall control by forest department etc. This IA has not come up for hearing nor any notice issued. This is yet another attempt by the petitioners to sway the court away from the primary issue of constitutional vires of FRA, raised by them in their original writ petition.

➤ 2021 Joint Communication by MoTA and MoEFCC on FRA

On 6.06.2021, MoEFCC and MoTA issued a “Joint Communication for more effective implementation of the Forest Rights Act’ announcing ‘a paradigm shifts from working in silos to achieving convergence between Ministries and Departments’. This is focussed on the role of Forest department, especially in the CFR Rights, prescribing that the

- Frontline staff of State FD is to extend assistance to CFR Management Committees under Rule 4(1)(e) and (f) of FR Rules 2008 for preparation of CFR conservation and management plan.
- FD must integrate these plans with the micro plan or working plan of department.
- Benefits of JFMCs are used for protection and management of forest through Gram Sabha.
- State FD undertakes projects for value chain addition of minor forest produce under schemes implemented by MoTA.

➤ 2022 Amendments in FCA 1980

Amendments were made in the 1980 Forest Conservation Act to ease the corporate takeover of community forest resources. Key aspects of these amendments are the removal of the Gram Sabha consent provision prior to grant of forest clearance to post forest clearance and before hand over of the forest land, removal of certain categories of forests from the forest land definition, exemption to certain type of projects and in varying geographical contexts. This is part of the trend of [Environment ministry to subvert FRA](#) by launching a stream of legal policy interventions, with no compliance to FRA and not harmonizing the laws in with FRA in the last 20 years.

➤ 2023 Guidelines for Conservation, Management & Sustainable use of CFRs

The 2021 joint communication also led to the notification of *Guidelines for Conservation, Management and Sustainable use of Community Forest Resources* by MoTA on 12.09.2023. This guideline was notified after repealing its earlier guideline issued as a statutory direction under Sec. 12 of FRA in 2015 which empowered the Gram Sabha to freely and autonomously develop, decide and implement the plan. The scope of bureaucratic take over including that of Forest department was now introduced:

- constitution of a District Level CFR Monitoring Committee by the State government. This is not prescribed in FRA Act and FR Rules anywhere. FR Rule 12(B)(iv) and Rule 16 are referred in order to justify the constitution of District Level CFR Monitoring Committee (DLMC). However, these rules do not mention any of these. The authorisation of DLMC (which is bound to have officials of Forest department) is now required for opening of a current bank account of the Gram Sabha for operation of CFR management plan. DLMC is also to monitor and submit reports on the implementation of CFR conservation and management plans.

- mandates that CFR Management Committee (CFRMC) is to coordinate with the Forest Department for the integration of CFR Management Plan with the micro plans of FD without making any reference to FR Rule 4(1)(f). The Forest Rights Rule 4(1)(f) requires the integration of CFR management plans with FD plans and the decision making and the authority is the Gram Sabha. The Gram Sabha is to integrate the plan “with such modifications as may be considered necessary by the CFRMC.”

➤ **2024 Joint Communication by MoTA and MoEFCC**

On 14.03.2024 MoEFCC and MoTA reproduced a consolidated set of guidelines and clarifications for creating awareness to benefit the FRA field functionaries. Regarding the CFR Rights, the joint communication calls the CFR management plans “scientific documents that require collection and analysis of field data”, So it prescribes that the “chairman of CFRMC may co-opt any officer from local Forest department to help the committee in preparation of such plans.” Furthermore, it states that “MoTA plans to develop a few model CFR management plans, in consonance with the National working plan code, 2023 and share them with the states.”

On 21.05.2024, Deputy Inspector General of Forest, MoEFCC, wrote to all state PCCFs to consider sharing the digitized boundaries of forest areas in shape file (.shp) format with concerned State Tribal Departments on a priority basis as the State Tribal Departments have been directed to develop FRA Atlas to map all potential forest areas which can be covered under the FRA. But no such map was shared in reality. The potential forest would be as per the legal definition of forest that includes reserve lands, deemed and unclassified forests besides notified forests.

- Launch of DA JGUA

DA JGUA programme launched in 2024 speaks about the potential mapping of CFR areas to develop FRA Atlas. MoTA was to support 1000 CFR Management Plans in the next 2 years on first come first basis. CFR Management Plans are to be prepared by Gram Sabhas with CSO/NGOs and technical experts and a financial support of up to Rs. 15,000 per hectare for execution of activities identified in each CFR Management Plan will be provided. Not even a single support for CFR management plan has been received by the state governments.

- NTCA orders relocations from core areas of Tiger Reserves

On 19th June 2024, NTCA ordered the relocations from core areas of tiger reserves, making no reference to forest rights act, CFRs or the fact that conservation as per Section 5 of FRA falls under the authority of Gram Sabhas. This has caused massive forced displacement across tiger reserves, and triggered an open violation of forest rights in these areas. More details [here](#).

What has been the on-ground implications?

Some facts:

20 years since the enactment of FRA, the implementation of the act and in particular the recognition of CFR rights has been laggard predominantly due to the obstructions by the forest bureaucracy. MoTA has no data on the status of CFRs, but ground observations inform that:

- SDLCs and DLCs often function at the whims and will of the forest department as opposed to the mandate of the law.
- SDLC has not complied with FR Rule 6(a) and failed to inform and make aware each gram Sabha about the objectives and procedures of the act and particularly their duties as vested under Section 5 of FRA. DLC too failed to comply with the FR rule 8(a) ensuring that the SDLC provides the requisite information.
- SDLC does not provide relevant records or the proforma of claims to the Gram Sabha, even after several Gram Sabha notices. SDLC has not abided by FR Rule 6(b) and 6 (l).
- FD refuses to participate in the field verification by the Forest Rights Committee or give written and signed comments.
- Protected areas and tiger reserves are notified without adhering to the process given in WLPA and FRA and in gross violation of forest rights, particularly the CFR Rights.
- CFR Rights are denied in Protected Areas and Tiger Reserves, as well as in areas proposed for forest diversion to companies such as for mining, river interlinking projects, hydropower projects.
- CFR Rights are given low priority amongst the recognition of the rights.
- Most CFR Rights are kept pending at SDLC or DLC level. SLMC is not constituted in most states/UTs and where constituted it remains non -functional.
- Rejection of CFR Rights or conditional acceptance (no written reasons provided) by modification of area claimed.
- Arbitrary demands for satellite evidence or denial of CFR Rights based on satellite imagery is becoming the administrative norm of the forest bureaucracy.
- Encroachment of the recognised CFR areas by the FD for plantations and afforestation interventions under CAMPA and GIM. Even on the CFR areas whose claims are under the process are being fenced by forest bureaucracy for plantation and ancillary activities.
- Violation of Section 3(1)(i) and Section 5 and the Gram Sabha consent in forest land diversions and voluntary relocations.
- Violation of Section 5 continues, as the MoEFCC and FD are undertaking various kind of interventions on CFR lands such as the recent GEF projects aimed at financing biodiversity conservation which are being implemented by the State Biodiversity Boards and MoEFCC.
- Faulty recognition of CRs and CFRRs in MP where the FD as part of SDLC and DLC has been involved in recognizing illegal encroachment on forest lands in the case of Swami Pathranand while obstructing the claims of genuine forest rights claimants in the same village.

- Criminalization of the use, access and dependence of forest dwellers on forest resources which is already recognized and vested as a bundle of forest rights by the forest bureaucracy using forest laws and in complete violation of FRA.

Some updates on DA JGUA

States of Odisha, Chhattisgarh, Madhya Pradesh, Tripura and Tamil Nadu have completed the mapping of FRA potential and launched their FRA Atlas as part of DA JGUA. Jharkhand, Telangana, Andhra Pradesh and Karnataka are in the process of finalizing their FRA Atlases. Uttarakhand has also begun the process. On 21st August 2025, the MoTA while responding to a query, informed the Lok Sabha¹ that till date under DA JGUA proposals for preparation for 920 CFR Management Plans have been approved covering more than 90,000 hectares of forest land.

Chhattisgarh

- The Chhattisgarh FD (PCCF and HFF), on 15.05.2025, issued an order making the state forest department the nodal agency for expediting the CFR Rights implementation. This letter, refers to the 14.03.2024 dated Joint Advisory by MOTA and MoEFCC which argues that MoTA will prepare the Model CFR Management Plan/Micro plan in consonance with the National Working Plan Code, 2023, and thereafter share it with all states. That the CG forest bureaucracy asked for the plan, after acquiring which the decision on the management of the forest land included in Section 3(1)(i) will be taken. That in the entire notified forests, the provisions of Working Plan as per the National Working Plan Code 2023 are in effect and the forest department is undertaking activities as per it. That all these Working Plans are approved/sanctioned by the MoEFCC.
- The PCCF letter stated that as the Model CFR Management Plan/Micro-plan from MoTA are expected and not yet received, so no other department, non-departmental institute, private institute can undertake any activity or work in the forest lands where the CFR Rights have been recognised. At present, no plan other than the MoEFCC sanctioned Working Plan can be implemented in the State.

Himachal Pradesh:

- The PCCF issued a circular on FRA which was later withdrawn due to backlash from forest rights groups. The letter, similar to other state forest departments, attempted to promote a legally misleading narrative by asking “all Gram Sabha meetings must be video-recorded and photographed”, and that “open-source imagery and maps be used alongside revenue records to prevent false or exaggerated claims”. The letter also targets OTFD, alleging that anyone in Himachal can claim to be OTFD and uses this misinterpretation to argue that this would “lead to vast destruction and conversion of Himachal Pradesh forests.”

Madhya Pradesh

- A new Standar Operational Procedure on conversion of Forest Village to Revenue Village was issued in 2025. It makes the use of satellite mandatory and adopts a top-down implementation process with involvement of FD. Cases of wrongful determination of the village boundaries and non-involvement of Gram Sabha have come to light.

¹ https://sansad.in/getFile/loksabhaquestions/annex/185/AU4690_ZC8q4v.pdf?source=pgals

- In number of Tiger reserves inside the core areas, CFR Rights are not recognized and no support on the same is being provided by the forest officials.
- A poster providing a wrongful interpretation of CFR Rights on the same line as AK Jha's misinterpretation of FRA is being circulated in different WhatsApp groups and forums.
- In 2023, the MP government released the state wildlife action plan which proposes a number of conservation interventions on the lands that fall under CFR' as per FRA and in each case vests the nodal powers with the forest officials. The 14-member committee who drafted the plan consists of active forest officials, member of wildlife and biodiversity boards and from conservation organizations. Some examples of activities and action points that directly violate FRA or try to subvert it includes
 - According satellite imagery the status of 'primary evidence' in Rule 13(1)(a) for verifying claims of all forest dwellers. All other evidence should be treated as secondary. Sec. 11 of the FRA needs to be amended to make the MoEFCC the nodal agency for the implementation of FRA in place of the Tribal Ministry.
 - Developing "a comprehensive voluntary village relocation SOP [Standard Operating Procedure]" so as to "cover all eventualities and local variations for all PAs, buffer areas and corridors, and efforts to create inviolate spaces for wildlife in PAs."
 - Completing the process of determination of forest rights and identification of Critical Wildlife Habitats (CWH) in PAs in accordance with the FRA-2006 and making the Chief Wildlife Warden the nodal in charge for this.
 - Expediting the notification of 'Core and Critical Wildlife Habitat' as per Sec. 2(g) of the FRA. 2006 and that the 'Critical Movement Areas and Riparian Areas in Wildlife Corridors' should be placed at par with 'Critical Wildlife Habitats' in Sec. 2(b) of FRA. Similarly, Sec. 4(2) must also include 'Wildlife Corridors'.

Odisha

- Forest bureaucracy is imposing restrictions on the area claimed as CFR and the department is arbitrarily asking to restrict the claimed area to 100 acres or 50 acres or less.
- CFR claims already approved by the DLCs or titles already prepared are still pending as FD officials are not signing the documents
- Rise in conflicts in the governance and management of the CFR areas and working of the CFR Management Committees by JFMCs and working plans of FD.
- District Collectors, also the chairman of DLCs, joining hands with the forest department is deciding on the diversion of forest land and issuing certificates in violation of FRA procedure such as in the case of Sijimali. Forging and fabrication of Gram Sabha Consent by the officials.

Telangana

- The Environment Ministry and the Telangana Forest Department in gross violation of WLPA read with FRA notified Kumarambheem Conservation Reserve vide G.O.Ms.No. 49 on 30.05.2025. It consolidated a total area of 1492.88 km². Even if not the entire area, a substantial portion of it falls within the jurisdiction of numerous villages located within and/or accessing these forests and whose rights are recognised and vested in these villages (whether titled, claimed or yet to claim particularly the CFR under Sec.3(1)(i) read with Sec.5) as per FRA. The government, after facing a lot of backlash & protests, on 21st July, decided to keep in abeyance the said order.