In Odisha, forest villages converted to revenue villages await final settlement

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SUMMARY

Under provisions of the Forest Rights Act, every forest village can be converted into a revenue village. Located deep inside forests and devoid of developmental benefits, forest villages are mentioned as ‘zero villages’ in the census report but are inhabited by people. In Dhenkanal district of Odisha, 12 such villages were notified as revenue villages. But despite the notification, the final survey settlement and record of rights is yet to be granted, changing little for them.

» Odisha is considered as one of the leading states in the implementation of the Forest Rights Act. In 2007, the Indian parliament enacted the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 [commonly referred as the Forest Rights Act or FRA]. The emancipatory law was an unique attempt to transform the lives and livelihoods of more than 150 million forest-dependent people.

» The legislation that would ensure land rights to forest dwelling communities has a special significance for the state, where as much as 37.34% of land area is classified as legally recorded forests. With over 22.8% of the population, Scheduled Tribes (STs) and Other Traditional Forest Dwelling (OTFD) communities in Odisha are critically dependent on forest lands.

» In 2022, the state decided to saturate FRA implementation on a mission mode by 2024. To complete the saturation, the state government has expedited the process of title distribution under the FRA. It has also asked respective districts to identify and expedite the process of converting forest villages into revenue villages.

» Despite government efforts, several major issues continue to confront FRA implementation in Odisha. The conversion process is underway at a slow pace even after the state issued its own guidelines in 2017. Only 10% of the villages have been notified as revenue villages since. The final procedure of survey settlement remains incomplete.

» In the absence of a survey settlement, the villages continue to be deprived of government schemes like Kalia yojna for farmers, pucca road to the village, residence certificates, right to purchase and sell land, etc.
BACKGROUND

The Forest Rights Act ensures a number of rights over forest lands with forest dependent Scheduled Tribes and Other Traditional Forest Dwellers.

These rights include individual rights over forest lands, community rights and the rights to protect and manage community forest resources within traditional or customary boundaries of the village.

Section 3(1)(h) of the Act, says: “rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not, into revenue villages.”

As per the 2011 census, India has 4,526 forest villages in the country. Odisha has 458 forest villages.
a. Need for conversion

Most of these forest villages were set up in remote and inaccessible forest areas during the British era to provide regular manpower in forestry operations. Even after Independence, the land in these villages were recorded as forestland, as per the Forest (Conservation) Act, 1980. As a consequence, the tribals living in these forest villages never had any claim over the village land. They are denied the benefits of various welfare schemes because the jurisdiction of the block and the revenue administration does not cover forest villages. To say the least, the condition of tribals living in forest villages remains precarious.

The conversion [of forest villages] comes with a lot of benefits. As the villages get included in the revenue records, it will allow the state to take up comprehensive measures to improve the infrastructure — healthcare, education, drinking water, sanitation, electricity, irrigation, markets and livelihood, apart from extending various other welfare schemes.

b. Centre’s push for conversion of forest villages to revenue villages

In May 2016, the Union government had admitted in the parliament that there was a need for conversion of forest villages into revenue villages considering the difficulties faced by the people living in forest villages. It had asked the state governments to expedite the process to enable villagers to avail benefits of welfare schemes. Such villages also included villages inside sanctuaries, national parks and tiger reserves.
c. **Odisha issued its own guidelines**

In February 2017, Odisha issued its own guidelines for the conversion of forest villages to revenue villages. The state has 458 unsurveyed forest villages. As of December 2022, the state had received 150 claims for conversion of forest villages into revenue villages of which only 14 have been notified. And 12 of these 14 villages are in Dhenkanal district of the state. In April 2023, 38 villages were notified as revenue villages in Ganjam district of the state. As per the procedural guidelines, after the state Board of Revenue issues a notification with respect to the conversion, the process of survey, preparation of record of rights, publication of final record of rights (under the provisions of Odisha Special Survey & Settlement Act 2012), shall be carried on to settle the land rights of the residents of the new revenue village.

The villages received their titles under FRA in 2010 and after a long battle they were notified as revenue villages in July 2020. But even after two years of the notification, the final survey settlement and incorporation into revenue records is still pending.

> **As of April 2023, a total of 52 villages in Odisha have been notified as revenue villages.**
EMERGING ISSUES

The Impact of Policies on the Ground

» Despite rules laid down under the forest rights legislation, there is a lack of awareness among community members to initiate the process.

» To facilitate the process, ground level government officials are untrained to undertake certain procedures like hi-tech surveys.

» There is a lack of follow up after notification is issued by board of revenue for survey settlement, hindering the completion of process.

» Delay in the completion of the process and stopping it mid-way keeps the forest dwellers away from their rights.
RECOMMENDATIONS

» A stipulated time to complete the process must be included in the guidelines. Without a deadline the process tends to linger on with no accountability of the administration.

» Ground level staff must be trained to carry out the process of hi-tech survey which needs specific expertise and knowledge. Untrained staff are unable to carry out the process and take it forward.

» Better coordination between the state and the ground staff is needed. Certain expertise like surveys with newer technologies can be coordinated better by the state level revenue department staff.

» Convergence of departments like Panchayati Raj department, SC ST welfare department and Revenue department can help in the accomplishment of the said procedures in a more effective way.

REFERENCES

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