



Chhattisgarh Forest Department Withdraws CFRR Directive

For Prelims: [Community Forest Resource Rights](#), National Working Plan Code 2023, [Minor Forest Produce](#), [Dharti Aaba Janjatiya Gram Utkarsh Abhiyan](#)

For Mains: Community Forest Resource Rights, Environmental conservation, Forest governance and management

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Why in News?

The Chhattisgarh Forest Department withdrew its directive that had designated itself as the nodal agency for implementing [Community Forest Resource Rights \(CFRR\)](#) under the [Forest Rights Act \(FRA\), 2006](#).

- The directive was issued to align CFRR with the [National Working Plan Code \(NWPC\) 2023](#), it tried to override [gram sabhas' authority](#), triggering strong grassroots opposition and leading to its withdrawal.

What are Community Forest Resource Rights (CFRR)?

- **About: CFRR** are a key provision under Section 3(1)(i) of the **FRA, 2006**, which empowers **forest-dwelling communities** to protect, regenerate, conserve, and manage their **customary forests**.
- **Key Features of CFRR:**
 - **Recognition of Rights:** CFRR gives **Scheduled Tribes (STs)** and **Other Traditional Forest Dwellers (OTFDs)** the legal right to **live, use, and cultivate forest land** they've been dependent on.
 - **Gram Sabha as Governing Body:** CFR rights legally empower Gram Sabhas to manage, protect, and regenerate forests.
 - Gram sabhas draft forest management plans focused on local needs like livelihoods, restoration, and biodiversity. These must align with official plans but not be controlled by them, ensuring local knowledge guides adaptive forest management.
 - **Sustainable Livelihoods:** Communities can collect and sell [non-timber forest produce \(NTFP\)](#) ([Minor Forest Produce](#)) like bamboo, honey, herbs, etc.
 - **Critical Wildlife Habitats (CWH):** CFRR balances **ecological protection** with rights, ensuring **wildlife conservation** without displacing people unfairly.
 - Empowers locals to stop deforestation, illegal mining, and other external threats.
- **Importance:**
 - **Corrects Historical Injustice:** CFRR challenges the colonial legacy of centralized control over forests by shifting power to local communities, thus rectifying historical injustices where local institutions were replaced by bureaucratic forest departments.

- **Strengthens Conservation:** Recognises the role of traditional knowledge in managing forests and biodiversity, especially in protected areas like national parks and sanctuaries.
- **Empowers Communities:** It places conservation power and responsibility in the hands of those who live closest to the forests.

Forest Rights Act (FRA), 2006

- **About:** The FRA, 2006 (**Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**) recognizes and grants forest rights to forest-dwelling STs and OTFDs who have lived in forests for generations **without formal documentation**.
 - Its aims are to address historical injustices, empower communities by ensuring sustainable access to land, and promote ecological balance.
 - The Act also facilitates the diversion of forest land for public welfare projects with **Gram Sabha** approval.
- **Key Provisions:**
 - **Ownership Rights:** Grants ownership of Minor Forest Produce (MFP) like bamboo and brushwood.
 - **Community Rights:** Includes rights to grazing, fishing, water access, and the protection of customary traditions.
 - **Habitat Rights:** Protects the rights of primitive tribal groups and pre-agricultural communities to their traditional habitats.
 - **Community Forest Resource (CFR):** Empowers communities to manage and regenerate forests sustainably.

What is the National Working Plan Code, 2023 and How does it Conflict with the CFRR?

- **National Working Plan Code, 2023:** Released by the **Ministry of Environment, Forest and Climate Change**, the NWPC 2023 is a revised framework for scientific forest management across India.
 - It builds on the earlier codes of 2004 and 2014 with a more integrated and updated approach.
 - The code aims to guide **state forest departments** in sustainable forest planning, focusing on biodiversity conservation, forest productivity, soil and water management, and **socio-economic benefits**.
- **Concerns Over NWPC in CFRR Management:**
 - **Top-down Approach:** NWPC imposes bureaucratic forest department control over forests that should be managed by **gram sabhas**, as mandated by the FRA, 2006.
 - **Colonial Timber Focus:** The NWPC is rooted in colonial forestry, prioritizing **timber extraction over biodiversity and livelihood needs**. It conflicts with FRA's community-based approach, which aims to empower gram sabhas to manage forests for sustainable livelihoods and conservation.
 - **Excludes Community Wisdom:** It ignores **traditional ecological knowledge** and lived experience of local forest dwellers in favour of technical, data-heavy methods.
 - **Incompatible Planning:** The **rigid formats and technical demands** of NWPC are not suited for the **flexible, context-specific CFR plans** needed at the community level, delaying **grassroots forest governance**.
 - **Potential for Misuse:** NWPC can be used by forest departments to **regain control over CFR areas**, undermining the legal authority of gram sabhas.
 - **Obstructs Climate Resilience:** Static working plans under NWPC fail to adapt to **climate variability**, while CFR plans led by communities can offer **more adaptive, real-time responses**.

What Steps are Needed to Ensure Effective CFRR Implementation?

- **Institutional Clarity and Legal Compliance:** Forest Departments must not override Gram Sabha authority. The Ministry of Tribal Affairs (MoTA), as the nodal agency for FRA, must **actively defend Gram Sabha autonomy** and resist pressures to dilute the law through other instruments like the **NWPC 2023**, which risks recentralising forest governance.
- **Financial and Administrative Support for Gram Sabhas:** The **15th Finance Commission** recommended direct financial devolution to local bodies.
 - A dedicated component should be earmarked for CFR-holding Gram Sabhas for forest conservation and sustainable use.
 - Schemes like the [Green India Mission](#) and [National Rural Livelihood Mission \(NRLM\)](#) should include modules to train communities in preparing and implementing CFR Management Plans.
- **Streamlining and Scaling CFR Plan Preparation:** The [Dharti Aaba Janjatiya Gram Utkarsh Abhiyan](#) provides an indicative framework for CFR Management Plans. States must adopt this with flexibility and ensure iterative learning.
- **Digital Mapping and Dashboards:** States like Odisha and Maharashtra have shown success with **digitally mapped CFR areas**.
 - A national-level CFR Dashboard (similar to the PMAY or JJM dashboards) should be created to track recognition and implementation.
- **Independent Oversight:** Constitute state-level CFR implementation committees involving Adivasi leaders, ecologists, and legal experts to review grievances and implementation hurdles.
- **Judicial Backing:** The Supreme Court (e.g., in *Wildlife First v. MoEFCC, 2019*) have emphasised the primacy of rights under the FRA. Courts must be vigilant against administrative dilution of CFRR.

Drishti Mains Question:

Discuss the role of the Gram Sabha in forest governance under Community Forest Resource Rights. How can the autonomy of Gram Sabhas be strengthened in the face of bureaucratic resistance?

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. At the national level, which ministry is the nodal agency to ensure effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006?

- (a) Ministry of Environment, Forest and Climate Change
- (b) Ministry of Panchayati Raj
- (c) Ministry of Rural Development
- (d) Ministry of Tribal Affairs

Ans: (d)

Q. Consider the following statements: (2019)

1. As per recent amendment to the Indian Forest Act, 1927, forest dwellers have the right to fell the bamboos grown on forest areas.
2. As per the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, bamboo is a minor forest produce.
3. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 allows ownership of minor forest produce to forest dwellers.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 3 only
- (d) 1, 2 and 3

Ans: (b)

Q. If a particular area is brought under the Fifth Schedule of the Constitution of India, which one of the following statements best reflects the consequence of it? (2022)

- (a) This would prevent the transfer of land of tribal people to non-tribal people.
- (b) This would create a local self-governing body in that area.
- (c) This would convert that area into a Union Territory.
- (d) The State having such areas would be declared a Special Category State.

Ans: (a)

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