

# Conservation, Social Justice and the Forest Rights Act (2006): A Comparative Analysis of the Podochuanpadar Village of Odisha and the Mendha-Lekha Village of Maharashtra

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## Abstract

The Forest Rights Act (FRA) 2006 is considered a significant piece of legislation, as it acknowledges and seeks to redress years of historical injustices committed against the Scheduled Tribes (STs) and Other Traditional Forest Dwellers (OTFD) by restoring their land rights. However, after more than fifteen years of its implementation, the FRA is struggling to achieve its primary objectives despite several interventions. The current study presents a comparative analysis of two celebratory cases from two different Indian states that are often cited as exemplars of FRA implementation. The two cases are: the Podochuanpadar village of the state of Odisha and the Mendha-Lekha village of the state of Maharashtra. Through an in-depth analysis, using the case study approach, the study highlights that the FRA has led to positive outcomes in both cases. Both have successfully attained 'Individual Forest Rights' (IFR) and 'Community Forest Rights' (CFR), and both have exhibited commendable performances as regards participatory forest management leading to effective conservation. But, they also point to several implementation gaps. Based on the evidence, the study therefore suggests a need to smooth the implementation process by ensuring limited interference of forest officials, capacity building of the nodal agencies, and an evaluation of conflicting and divergent policies that interfere with FRA implementation. In addition, the study advances the need for a broader developmental model that would further empower the FRA to be equitable, just and inclusive.

**Keywords:** Conservation; Forest Rights Act (FRA); Participatory Forest Management (PFM); Self-Governance; Social Justice

## Abbreviations

CAF Act: Compensatory Afforestation Fund Act, 2016.

CFR: Community Forest Rights.

DLC: District Level Committee.

FCA: Forest Conservation Act, 1980.

FMP: Forest Management Plan.

FPC: Forest Protection Committee.

FRA: Forest Rights Act [short for The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006].

FRC: Forest Rights Committee.

IAY: Indira AwasYojna (now changed to Pradhan MantriAwasYojna).

IFR: Individual Forest Right.

ITDA: Integrated Tribal Development Authority.

JFM: Joint Forest Management.

MFM: Minor Forest Produce.

MLA: Member of Legislative Assembly.

MoTA: Ministry of Tribal Affairs.

MoEFCC: Ministry of Environment Forest and Climate Change.

NABARD: National Bank for Agriculture and Rural Development.

NGOs: Nongovernmental Organizations.

NITI Aayog: National Institute for Transforming India.

NTFP: Non-Timber Forest Produce.

OTFD: Other Traditional Forest Dweller.

PMGSY: Pradhan Mantri Gram Sadak Yojana.

RTI: Right To Information.

ST: Scheduled Tribe.

SDLC: Sub-Divisional Level Committee.

## Introduction

Among the most coveted environmental legislations of India is the 'Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights)' Act 2006. Also known as the Forest Rights Act (FRA) 2006, it is considered to be of great significance because prior to it, no such initiative had been undertaken by the government of India to redress the historical injustices done to the forest dwellers. Though constituting a significant proportion of India's population, the forest dwellers in both pre-independent and post-independent India were subject to a wide variety of policy interventions that deprived them of their traditional rights to forest land, resources and produce from time to time. They were branded as 'encroachers', their agricultural practices, such as shifting cultivation, were considered to be a threat to the environment, and they were often directed to evict the forests because of state developmental projects [32]. Small wonder, therefore, India became witness to a series of protests in the forested areas over a period of time. Taking note of the increasing discord between the forest dwellers, local governments, forest departments and the private players, the government of India finally enacted the FRA in 2006. The forest dwellers in this context are mostly the Scheduled Tribes (STs), including the ST pastoralist communities and other traditional forest dwellers who have been residing in forests for generations, who depend on the forests or forest lands for bona fide livelihood needs but whose rights could not be recorded [7]. The rules for implementing the FRA came into existence in 2008 and were further revised in 2012 [31]. The FRA 2006 secured individual, community or both as forest rights of the STs and other traditional forest dwellers, indicating that this would strengthen the conservation regime of the forests on the one hand and would ensure stable livelihoods for the residing populations on the other. Individual forest rights (IFR) under the FRA entails the rights of self cultivation and habitation while community forest rights (CFR) entail grazing, fishing, access to water bodies and other community forest resources for sustainable use including rights to allocation of forest land for the fulfillment of basic infrastructural needs of the community among other such related rights [7]. As recent as June 2025, All India claims received as regards both CFR and IFR are 211,609 and 4,911,495, respectively. All India total CFR and IFR titles distributed are 121,705 and 2,389,670, respectively. While total titles, both CFR and IFR distributed, are 2,511,375 (49.02%), rejected claims are 1,862,056 (36.35%), and pending claims at various levels are 749,673 (14.63%) [10]. Though there has been some progress in the implementation of the FRA, figures indicate that it lags behind with a large number of both rejected and pending cases. Recent studies conducted by nongovernmental organizations (NGOs) such as the 'Call for Justice' on FRA implementation further claimed that despite being operational for over 15 years, the FRA implementation lags due to ignorance related to their applicability and conflicting interests. More importantly, it is exclusionary and has a high rejection rate of claims for community forest rights [4]. While some scholars in the field

argue that the FRA was enacted in great haste with a lack of coordination among the several departments involved, raising questions about the very objective of the act to redress historical injustice [17], there are others who are optimistic about it. Bandi [3] and Reddy et al. [26] believe that the FRA is an important platform for improving the livelihoods of the forest dwellers as it secures their land rights, but to achieve economic stability, more radical structural changes are required. According to them, exploitation and oppression are inbuilt into the system. Lee and Wolf [20], examining implementation of the FRA across India for the period 2008-2017, explain that variations across states in FRA implementation are due to political, economic and ecological reasons. Their findings further highlighted the persistence of governance tensions that shape the prospects of achieving environmental conservation. Vajpeyi and Rathore [37] in their study on 'FRA in Kinnaur, Himachal Pradesh' are of the view that the biggest hurdle to the FRA is the bureaucracy that has subsumed it within colonial systems and hierarchies. In a similar vein, Menon [21] in his study on the Van Gujjars of Uttarakhand argues that though the FRA provides a form of agency to some Van Gujjars, the politics embedded within its implementation often uses conservation and wildlife protection to dispossess them. Anusha [2], in her study on FRA implementation in a wildlife sanctuary in Gujarat, is of the view that the Act only exacerbates existing tensions between the state government and Adivasi claimants.

Given this kind of context, the current study, through the cases of the Podochuanpadar village of Odisha and the Mendha-Lekha village of Maharashtra, attempts a critical analysis of FRA implementation in these regions. In so doing, it hopes to understand the extent to which the FRA 2006 has been able to deliver its promise of addressing historical injustice, what has made it successful in certain contexts, and what challenges it faces in certain others. It aims to inform policies by highlighting the factors that operate as hindrances to decentralised forest governance and what steps may then be taken to restore the FRA as a landmark piece of legislation in the true sense of the term.

## Methods and Methodology

This study uses a case study approach to understand the complexities involved in FRA implementation. By focusing on two cases belonging to two different states, that is, the Podochuanpadar village of Odisha and the Mendha-Lekha village of Maharashtra, the study aims to provide a rich, detailed and in-depth understanding of the real-life contexts in which these cases relate to FRA implementation. While Odisha is a developing state, Maharashtra is considered to be one of the developed states of India. Both cases are well documented and are a source of rich qualitative and quantitative data often referred to in scholarly works and policy documents. Existing in different geographical, administrative and socio-cultural contexts, both represent divergent cases, exhibiting the potential to highlight the strengths and the weaknesses of FRA implementation in unique ways. The study is qualitative and exploratory and uses secondary sources of data collection such as various governmental documents, governmental web portals, reports by nongovernmental organizations (NGOs) working in the field, newspaper reports and other relevant academic articles. While the Ministry of Tribal Affairs (MoTA)'s monthly progress reports available on the MoTA website provide state-wise data on IFR and CFR claims, NGOs working in the field provide case analyses on the same. In addition, there are designated FRA data portals such as the 'fra.org.in', which are a valuable source of data on the subject. The study makes use of the above-mentioned sources in addition to several other published governmental documents and academic articles. The fundamental research questions which the study seeks to answer are: a) How successful has the FRA been in redressing historical injustice in these two cases? b) What kind of implementation challenges do they encounter and why? c) How effective are local governance institutions like the Gram Sabha? and d) what kind of conservation outcomes has the FRA led to? In comparing these two distinct cases, the study aims to arrive at patterns and key themes that can then be used to situate the findings in a broader all-India context to understand FRA implementation. It meets the triangulation of perspectives by referring to multiple data sources.

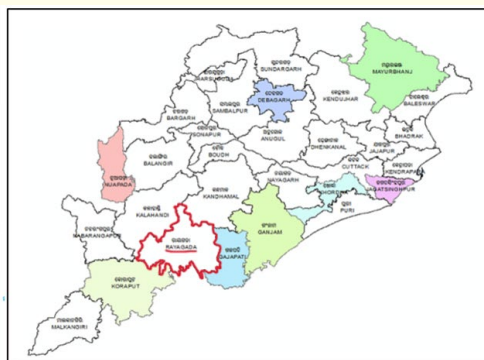
### *The case of the Podochuanpadar village of Odisha*

The Podochuanpadar village is one among the 12 villages listed under the Budaguda Gram Panchayat in the Kalyansingpur block of Rayagada district in Odisha. The Rayagada district is nestled amidst rolling hills and thick forest cover. Podochuanpadar is located in the Rayagada-Kashipur forest range of the Eastern Ghats of Odisha. The forest is designated as a reserve forest and comes under the

dominion of the forest department [9]. According to the 2011 census, spread over an area of 140 Hectares (ha), Podochuanpadar has a total population of 115, including 38 males and 77 females. It has 29 households, and they all belong to the 'Kandh' tribe [28]. The population is a forest-dependent population depending upon forest resources such as small timber, kendu leaves, siali leaves, tuber, tamarind, mango, mushrooms, honey, etc, for their livelihoods. Figure 1 is the map of India with the state of Odisha highlighted [35]. Figure 2 is a map of Odisha with the district of Rayagada highlighted [22], and Figure 3 is a map of Rayagada highlighting the Kalyansinghpur block with the village of Podochuanpadar in it [6].



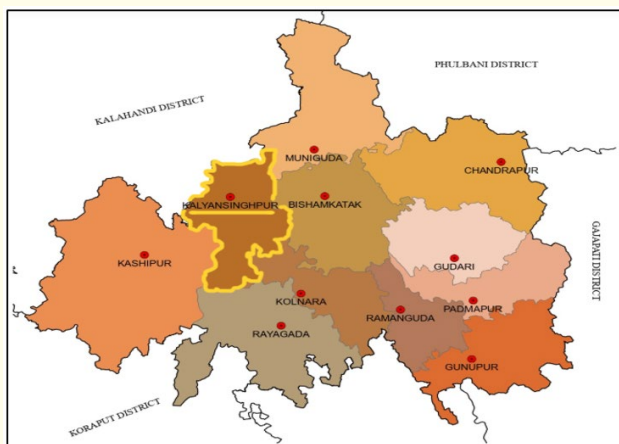
**Figure 1:** Map of India.



**Figure 2:** Map of Odisha.

**Source (Figure 1):** Survey of India, State Maps, DST, GoI. [https://surveyofindia.gov.in/UserFiles/files/ODISHA\\_ENG\\_2edn-2024.pdf](https://surveyofindia.gov.in/UserFiles/files/ODISHA_ENG_2edn-2024.pdf)

**Source (Figure 2):** Odisha Geo-Portal, State Maps, NIC Bhubaneswar. <https://gisodisha.nic.in/>



**Figure 3:** Map of Rayagada district.

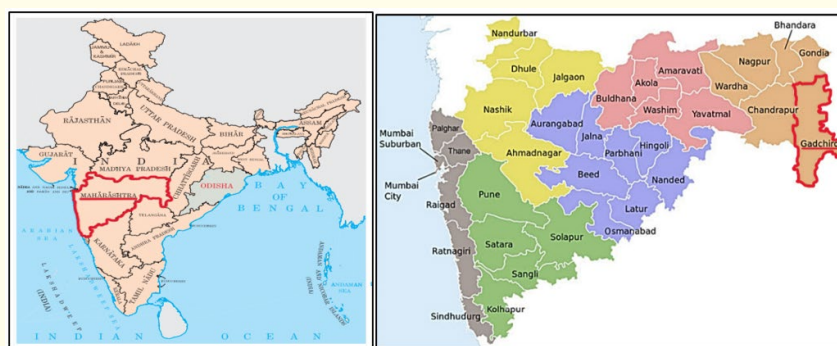
**Source (Figure 3):** District Mineral Foundation, District Maps, Rayagada, Odisha. <https://dmf.odisha.gov.in/district/RAYAGADA>

Before the enactment of the FRA 2006 and its subsequent implementation, the tribal village of Podochuanpadar was subject to a lot of harassment at the hands of officials. This is so because though they had lived in the area for generations and were dependent upon the forests for their livelihoods, their lands were recorded as government lands. Though eligible for land rights, several such villages, including the Podochuanpadar village located in undulated terrains and inaccessible forest areas, were left out of the land settlement processes, rendering them invisible. As a result, these communities were often fined by the government officials for residing and using forest resources. In essence, they were treated as 'encroachers' and were constantly being asked to evict or to validate their traditional rights over ancestral lands [19]. With low literacy levels, the inhabitants of Podochuanpadar village were clueless about the FRA 2006 or its revised guidelines. It was only with the intervention of local NGOs such as 'NIRMAN', 'Vasundhara' and a host of other international NGOs working in that region that several steps were undertaken to implement the same. It started with mobilising and sensitizing the community, making them aware of their legal rights. As a consequence, a special Gram Sabha was held on the 24th of April 2012 at the Podochuanpadar village. A forest rights committee (FRC) was formed, and every household was instructed to submit its claims form to the FRC. Another Gram Sabha was held on the 20th of May 2012, where the initial screenings of the claims forms received from both IFR and CFR were discussed. It was resolved that the FRC, with the help of forest officials and the Tehsildar, would complete the screening process at its end. On 2nd June 2012, in another Gram Sabha, all the 29 claims filed for both IFR and CFR were accepted and forwarded to the block through the Gram Panchayat. Finally, in July 2012, the Gram Sabha met again, recognizing that all the claims filed were justified, the community had been using the forest for more than 25 years, and each of the 29 IFR applicants was a member of the Scheduled tribes (STs). It further established that forest land claimed under CFR, which included two important water sources (springs and other water bodies), was also being used by the community for generations. The task of forwarding the claims form along with the verification report to the sub-divisional level committee (SDLC) was then delegated to the FRC. The applicants of Podochuanpadar village eventually received their land titles after two years of constant struggle in 2014 [9]. Though the achievements of Odisha, both in terms of IFR and CFR, have been commendable in general in comparison to the rest of India, the village of Podochuanpadar is given special credit for having had a more holistic approach to the same. This is so because the village, as early as 2016, also had and followed a management plan for effective management of its forest and forest resources. With the help of the NGO 'NIRMAN', a detailed forest management plan was prepared and approved by the Gram Sabha. Broadly speaking, this plan has five sections. While section one gives a demographic profile of the village and the community residing in it, the second section is a description of the kind of trees and plants found in the forest, both natural and planted varieties. The third section prompted the formation of a 20-member Forest Protection Committee (FPC) comprising the village members, 15 men and 5 women. It also mandates that they meet once every month and provide a report to the Gram Sabha. The fourth section classifies trees into different types and assesses the community's dependence upon forest resources in a detailed manner. The last section enacts specific rules for forest conservation, protection and management, such as ensuring equal access to minor and non-timber forest products to all households, to prevent forest fires, to work in cooperation with the forest officials, to negotiate with traders for fair prices, etc [25]. Small wonder, therefore, that in the National Institution for Transforming India (NITI) Aayog Portal 2025(nitiforstates.gov.in), the Podochuanpadar village finds mention as an instance of a best practice for effective implementation of the FRA for empowering and transforming the life of a community. What further added to the development of this village was the integration of the FRA with other developmental schemes such as the Indira Awas Yojana (IAY). Subsequently, the tribal households of this village were able to build better roads and better homes. More importantly, recognition of their land rights led to a transformation of this community by instilling in them a sense of awareness, hope, confidence and the aspirations for a better life [23, 9, 32].

### *The case of the Mendha-Lekha village of Maharashtra*

Located in the Gadchiroli district of Maharashtra, Mendha-Lekha village is considered to be a celebrated village because it was the first village in India to have successfully claimed CFR on 1800 ha of its lands. It was also the first to have been given the 'transit pass book', permitting it to manage commercial activities related to its bamboo resources [32, 18]. Gadchiroli is a biodiversity-rich region with dry deciduous forests and a wide variety of other plant and animal species. Almost 80% of the district is forested land. Mendha-Lekha is 30 km away from the district headquarters. It has a population of 473 people, comprising 241 men and 232 women,

living in 82 households [27]. All the inhabitants belong to the Gond tribe. The community is dependent on the forests for food, fuel and timber, deriving its major source of income from the sale of non-timber forest produce. Figure 4 is a map of India with the state of Maharashtra highlighted [35], Figure 5 is the map of Maharashtra with the district of Gadchiroli highlighted [11], and Figure 6 is a map of the highlighted district of Gadchiroli with the village Mendha-Lekha in it [12].



**Figure 4:** Map of India.

**Figure 5:** Map of Maharashtra.

**Figure 4 (Source):** Survey of India, State Maps, DST, GoI. <https://surveyofindia.gov.in/pages/state-maps>

**Figure 5 (Source):** Maharashtra District Maps, GoM. <https://mwrra.maharashtra.gov.in/wp-content/uploads/2022/08/9-Maharashtra-District-Map-Source-GoM.pdf>



**Figure 6:** Map of Gadchiroli district.

**Figure 6 (Source):** Map of Gadchiroli district, GoM. <https://gadchiroli.gov.in/map-of-district/>

Like other tribal communities residing in the forested areas of India, the Gonds were also subject to the same patterns of discrimination and oppression. Before colonial rule, they had access to the forests and forest produce and paid minimal taxes to the local landlords. With the British declaring all forests as government property and introducing a centralized tax collection system, the tribals lost their traditional rights. Post-independent forest policies operating within the confines of the inherited colonial legacy further marginalized these communities. With the distribution of the 'nistar' (forest produce utilized for the villagers' consumption) rights passing into the hands of the forest department, the Gonds now faced a different set of problems. Commercial exploitation of the forests further complicated matters in the region. They realized that the bamboo resources of their forest were being extracted for commercial gain. Subject to extreme poverty, discrimination and exploitation, the community began to resent these activities. Mendha-Lekha's achievements today have been the outcome of continuous efforts for the past four decades. The village represents a total way of life. As early as 1985, with a history of protests with the government related to a proposed hydroelectric project in their region, the village had already formed a robust Gram Sabha. Efforts at conservation and protection through well-defined self-formed committees, such as the FPC, had started long back here [1]. The village had formed a study circle in 1989 to study the 'nistar' rights. Their objective was to help the Gram Sabha make informed decisions on the subject. After elaborate debates and discussions on the issue, the village realized that instead of relying on the government and other external agencies, they had to form their organization to realize their rights. This marked the first step toward self-governance on the part of Mendha-Lekha. Soon, to facilitate consensus-decision-making, they formed smaller committees such as the Joint Forest Management Committee, Grain bank committee, Women's committee, Education committee, Gotul committee etc to deal with day to day mundane affairs. The village has also been a part of the Joint Forest Management Programme (JFM) since 1992. By 1993, the village was negotiating with other agencies such as the National Bank for Agriculture and Rural Development (NABARD) to help them with their watershed development activities [34]. The Bank didn't concede to their earlier demands, but eventually it funded the village for the construction of 17 'baodis' (irrigation ponds). When FRA 2006 was introduced, Mendha-Lekha already had an institutional base to claim its rights. Its Gram Sabha was granted CFR over 1809.61 hectares on 28th of August 2009. Making sustainable practices, collective responsibility, and self-governance its ideals, the village prides itself on 80% of its households using 'Deenbandhu' biogas plant for clean cooking, a woman's self-help group for managing brick production, a youth group for non-destructive honey collection and bamboo value addition activity and many other such small scale enterprises to sustain themselves. As soon as the CFR title was handed over to the Gram Sabha of Mendha-Lekha on 15th of December 2009, the village wrote its first letter on 18th January 2010 demanding ownership rights over minor forest produce such as bamboo. They went and met the concerned officials too. There was no response, and several communications followed. On 3rd February 2011, the Gram Sabha received a letter of rejection. Following this, it started cutting and selling bamboo on the 15th of February with the support of the Gadchiroli Member of Legislative Assembly (MLA), demanding a transit pass. This event triggered a series of debates and discussions on Bamboo all over the country. Finally, the government relented and on the 27th April 2011 handed over the transit pass book to the Gram Sabha. For the first time, the villagers then completed the harvesting of 90,000 bamboos, earning Rs 8 lakhs as labour charges. The Gram Sabha realized a revenue of Rs 22 lakhs [14]. Scholars working in the field laud Mendha-Lekha as an exemplary case of community-based participatory form of forest management that has led to the empowerment of the Gonds on the one hand and has paved the way for more such decentralised governance systems on the other [18, 34]. The case has also served to highlight how, instead of having a top-down approach to conservation of forests and forest resources, citizen involvement at the local level could yield better results. More importantly, it sensitizes us to the fact that different communities could have different world views, and it is the responsibility of the state to facilitate the harmonious coexistence of one and all. The people of Mendha-Lekha have not only availed of the benefits of the FRA 2006, but they have also drawn up their management plans to manage the forests, adhering to the principles of sustainability. Recent studies by Tambe et al [36] argue that sustainable bamboo management to realize full bamboo potential in the region would require improved protection measures, resource enhancement, better livelihood benefits, and the creation of new bulk markets, as traditional bamboo management has mostly been production-centric. In September 2023, the court granted Gramdan status to Mendha-Lekha, and on February 21 2024, the Maharashtra Government Gazette notification officially declared Mendha-Lekha as a Gramdan

village under section 4 of the Maharashtra Gramdan Act, 1964, instructing the Gram Mandal to officiate as the Gram Panchayat [13].

## Results and Discussion

Noted scholar Wolfgang Sachs (1992) once remarked that it's time to write an obituary for development, as it has failed to deliver its promise. Its promise to free people of 'sweat, toil and tears' through industrialisation and technology has met with a series of environmental crises [29]. Significantly, it has also led to social unrest because instances from all over the globe demonstrate that development has been lopsided with unequal consequences. While it has favoured a select few, it has alienated many others. Pre-Independence and Post-Independence forest policies of India up until the enactment of the FRA 2006 had alienated a significant proportion of its population, that is, the STs and other forest-dwelling communities, in the pretext of development and conservation. It realized that bringing everyone under one umbrella concept of development by formulating policies that are blind to the requirements of specific communities can only lead to a fragmented society. Conservation efforts based upon such narrow ethics cannot yield desirable results either. Small wonder, therefore, since the 1970s, most of the massive environmental protests in India have been forest-based, water-based, or land-based, representing the poor and the marginalized [15]. The current study by looking at two distinct yet celebrated cases belonging to two different states of India illustrates how the FRA 2006 has been received by the two and the extent to which it has achieved its objective of restoring the historical injustices done to them, how effective has self-governance and a participatory forest management system been, and what kind of implementation challenges does it face? Podochuanpadar village of Odisha finds mention as an instance of best practice for having filed and processed its IFR and CFR claims effectively in the NITI Aayog Portal 2025. NIRDPR 2018 study highlights narratives from the ground where inhabitants have disclosed their plight before and after the FRA 2006 implementation [9]. While most exclaimed that their lives before gaining the land titles were miserable as they were treated as aliens in the land that they inherited from their forefathers, after having the land titles, they led a life of dignity and freedom. They could openly engage in farming activities without the fear of the forest officials. Moreover, the struggles that they underwent to fight for their rights had emboldened them so profoundly that since 2018, they have been steadily progressing, availing of different other schemes available for them, such as the 'Pradhan Mantri Gram Sadak Yojana (PMGSY). They have been actively involved in millets farming. More recently, in the year 2020, inclusion of the village in the watershed implementation programme by the NGO NIRMAN led to many land and water conservation interventions in the village [23]. Similarly, Mendha-Lekha village of Maharashtra is credited as an ideal village with a strong record of democratic self-governance. It was the first state to be granted CFR in 2009 and a transit pass on Bamboo in 2011, followed by Gramdan status in 2024. Like most communities residing in the forested areas, the Gonds of Mendha-Lekha had faced similar atrocities due to defective policies. With the FRA 2006, the village, as is evident, has been making steady progress by applying for legal titles. NITI Aayog's (2020) case study on Mendha Lekha states that the village earns Rs 1 crore annually from bamboo sales [24]. What makes Mendha-Lekha distinct is its community-based approach with sustainable practices as its primary objective. The FRA 2006 also mandates that, along with IFR and CFR, it becomes the joint responsibility of the community to manage the forest and the forest resources. Both Podochuanpadar village and Mendha-Lekha had elaborate forest management plans (FMP) formulated at their ends with the help of local NGOs and activists. Mendha-Lekha already had a strong institutional base to negotiate with the state. By the 1990s, the villagers had realized that to voice their concerns, they needed collective forums. Having participated in several protests when their livelihoods were threatened, they understood that instead of relying on external agencies like the government, the bureaucracy, etc, they needed to have a strong organization of their own to raise their issues. They had formed study circles to debate and discuss issues relevant to them, gave suggestions to the Gram Sabha, and had smaller departments, including a 'mahila mandal' (women's group) to look after different affairs of the community. Small wonder, therefore, they claim 'We have our Government in Delhi and Mumbai; But in our village, we ourselves are the Government' [14]. When the FRA 2006 was enacted, the village was poised to make its claims and successfully attained CFR over 1800 hectares. Exhibiting exemplary courage and conviction, it has been pursuing more such developmental activities by integrating other schemes. Legally speaking, with Gramdan status, the village land and forests now come to be owned, managed and governed collectively by the village community. Podochuanpadar village also serves as a model of participatory forest governance. With the implementation of the FRA 2006, it has made progress in terms of obtaining IFR and around 81 hectares of forest land under CFR. Its efforts at managing forests and forest resources by means of a forest management plan prioritising sustainable

practices are what made it achieve the best practice recognition by the NITI Aayog. In comparison to Mendha-Lekha, though, it needs to go a long way in fostering a climate of democratic participation with a collective orientation that would aid it in self-governance.

Finally, both cases, while demonstrating the extent to which the FRA 2006 addressed historical injustices and how it has led to sustainable and participatory self-governance of forests, also point to the implementation challenges. Both cases have benefited economically and socially, no doubt, but both indicate years of painful struggle to achieve what rightfully belongs to them. Bureaucratic hurdles, long-pending decisions and unclear statements often made the process a cumbersome one. As the case of Mendha-Lekha demonstrated, there were several communications between them and the government for two long years to have access to the minor forest produce (MFP), bamboo [14]. In the case of Podochuanpadar, the process took two years to materialise with several visits to the district administration and the district's Integrated Tribal Development Authority (ITDA), followed by repeated 'Right to Information' (RTI) petitions [9]. Also evident in these cases is the intervention by NGOs and other civil society actors, indicating that in the absence of this, it is next to impossible for these communities to articulate their claims. While the NGO 'NIRMAN' played a crucial role in Podochuanpadar village, the NGO Pradan, Vrikshamitra and the leadership of the ex-sarpanch Devaji Tofa made significant contributions to Mendha-Lekha's development. The political will of the states and their actors also influenced the functioning of the governmental agencies. For instance, the MLA of Gadchiroli, Dr Namdev Usendi, was instrumental in promoting the cause of the bamboo transit in Mendha-Lekha by purchasing bamboo poles during the protest period [14]. In addition, undue interference by the forest departments is a big challenge faced by both cases from time to time. In 2017, the villagers of Podochuanpadar had to protest against the plantation efforts by the forest officials on the land already granted to them [23]. It is, however, beyond the purview of this study to comment upon other traditional forest dwellers (OTFD) as mentioned in the FRA 2006, as both these villages studied comprised a predominant ST population.

## Conclusion

In conclusion, several patterns and themes emerge from this case analysis of two celebrated cases considered to be role models for the FRA 2006 implementation. The study argues that it is evident that, though the FRA 2006 is indeed an emancipatory act with a promise to correct historical injustices, it needs to further strengthen itself by making its implementation process smoother. Both cases, despite strong external support, had to struggle hard to achieve their rights. Second, though under the FRA 2006, the role of the forest officials has been minimized, in practice, they seem to be randomly operating and denying rights to the people. Many case studies in the region state that they have been dismissing claims without jurisdiction on feeble grounds [8, 31, 16]. Third, capacity building of the tribals as well as the government officials is an essential prerequisite to make the implementation process easier and smoother. Had it not been for the NGOs and other forms of leadership available to these communities, successful implementation would have been a remote possibility. Capacity building and training would further empower the nodal agencies like the Gram Sabha, the Sub-divisional level committees, etc, to make informed decisions as studies highlight lack of awareness by the nodal agencies as primary factors leading to low level of FRA implementation across India [5]. Fourth, both cases demonstrate how conflicting and divergent policies often interfere with the performance of the FRA 2006. For instance, acts such as the 'Forest Conservation Act (FCA) 1980' and the 'Compensatory Afforestation Fund (CAF) Act 2016' are often invoked by the forest officials to undertake plantation drives in areas already allotted to the tribal communities. The 2017 episode in Podochuanpadar is a case in point. Finally, to realize the true essence of the FRA 2006, the study reflects that we perhaps need to understand as Sen (1999) suggested that development in the true sense of the term is about 'freedoms' while removing the major sources of 'unfreedoms' that include poverty, restricted economic opportunities, systematic social marginalization, poor public facilities and excessive intervention by the state [33]. This development while relying on industrialization for progress would also be sensitive to the cause of the environment and the populations that are directly dependent upon it for their livelihoods.

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