

Chhattisgarh Forest Dept Withdraws Community Forest Rights Order

The Chhattisgarh forest department withdrew its directive on Community Forest Resource Rights (CFRR) in July 2025, after it faced massive protests from tribal groups and civil society organizations. This withdrawal followed widespread protests from tribal communities who viewed the initial directive as an attempt to undermine the Forest Rights Act (FRA), 2006, and Gram Sabha's authority.

The withdrawn order had declared the Forest Department as the nodal agency for CFRR implementation, conflicting with guidelines from the Ministry of Tribal Affairs that empower Gram Sabhas to manage and approve CFR plans.

Background of the Directive

- The directive, issued in May 2025, cited the National Working Plan Code (NWPC), 2023, and aimed to align CFRR with its provisions.
- It designated the Forest Department as the sole authority for CFRR implementation, effectively excluding other stakeholders from participating.

Reason for Withdrawal

- The directive faced strong opposition from tribal communities and various other groups, who saw it as a breach of the Forest Rights Act, 2006.
- Protesters argued that the directive went against the spirit of the FRA, which grants forest-dwelling communities and their Gram Sabhas the legal right to manage their customary forest resources.
- The Ministry of Tribal Affairs' guidelines for CFRR explicitly give Gram Sabhas and their CFR Management Committees (CFRMCs) the power to draft and approve these plans, a role the directive sought to restrict.

Explanation of Exam Oriented Key Terms

01

Community Forest Resource Rights (CFRR)

Community Forest Resource Rights (CFRR) are a key provision of India's Forest Rights Act (FRA), 2006, which legally recognizes the rights of traditional forest-dwelling communities. This was established to rectify the "historic injustice" of colonial-era and post-independence forest policies that denied these communities legal rights over their ancestral lands and resources.

Core components

- **Decentralized governance:** CFRR shifts the power to manage and govern customary forests from the state forest department to the Gram Sabha (village council). The Gram Sabha becomes the central authority for forest management and conservation.
- **Community rights:** The rights cover the community's access and usage of a customary common forest land within its traditional boundaries. This includes areas like reserve forests, protected forests, sanctuaries, and national parks.
- **Protection and management:** Under CFRR, the Gram Sabha has the legal authority to protect, regenerate, conserve, and manage the community's forest resources for sustainable use. This includes protecting forests from illegal logging, mining, and other external threats.
- **Livelihood and sustainable use:** CFRR secures the livelihood and food security of forest-dwelling communities. It provides rights to collect non-timber forest produce, such as bamboo and medicinal plants, and use grazing lands and access water bodies.
- **Traditional knowledge:** The provisions formally recognize and protect the traditional and customary rights of forest dwellers, acknowledging their role in the survival and sustainability of forest ecosystems. Communities can use their traditional knowledge to conserve biodiversity.
- **Protection from displacement:** The FRA, in conjunction with other laws like the Right to Fair Compensation Act, protects tribal populations from being evicted without proper rehabilitation and settlement.

Significance

- **Empowers local self-governance:** By vesting management authority with the Gram Sabhas, CFRR strengthens local self-governance and democratic decision-making at the village level.

- **Enhances conservation:** CFRR promotes community-led conservation, leveraging traditional ecological knowledge for the sustainable use and protection of forests and biodiversity.
- **Ensures social justice:** The act addresses historical injustices by correcting the dispossession of land and resources that tribal and other forest-dwelling communities faced.
- **Promotes sustainable development:** CFRR recognition can lead to livelihood improvements, economic growth, and better management of forest resources, all crucial for poverty alleviation in forest-dependent regions.

Challenges and implementation issues

- **Conflict with other laws:** Overlapping laws, such as the Indian Forest Act (1927) and the Wildlife (Protection) Act (1972), can create ambiguities and delay recognition of community rights.

02

Forest Rights Act (FRA), 2006

The Forest Rights Act (FRA), 2006, also known as the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, aims to address the historical injustices faced by forest-dwelling communities in India. It legally recognizes the rights of these communities over the land and resources they have traditionally used.

Core objectives

The FRA seeks to correct historical injustices against forest-dwelling communities, secure their livelihoods, strengthen conservation efforts, and empower self-governance through the Gram Sabha.

Key provisions and rights granted

The act recognizes four main types of forest rights:

- **Title rights:** Grants ownership up to 4 hectares for land already cultivated by December 13, 2005.
- **Use rights:** Includes rights to minor forest produce, grazing, and access to water bodies.
- **Relief and development rights:** Provides for rehabilitation and basic amenities.

- **Forest management rights:** Gives communities the right to protect and manage forest resources, including special "habitat rights" for Particularly Vulnerable Tribal Groups (PVTGs).

Eligibility criteria

Eligibility requires either being a member of a Scheduled Tribe depending on the forest for livelihood (FDSTs) or having resided in and depended on the forest for at least 75 years before December 13, 2005 (OTFDs).

Implementation process and key institutions

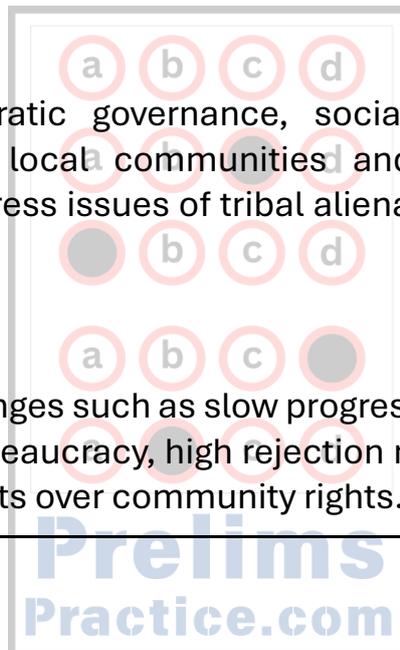
The Gram Sabha initiates the process by verifying claims. Claims are then reviewed by sub-divisional and district-level committees. Approved rights are recorded and provided to the claimant.

Significance of the FRA

The FRA promotes democratic governance, social justice, and environmental protection by empowering local communities and integrating their traditional knowledge. It also helps address issues of tribal alienation and empowers women by mandating joint land titles.

Challenges and issues

Implementation faces challenges such as slow progress, low awareness among forest dwellers, resistance from bureaucracy, high rejection rates, conflicts with other laws, and a focus on individual rights over community rights.



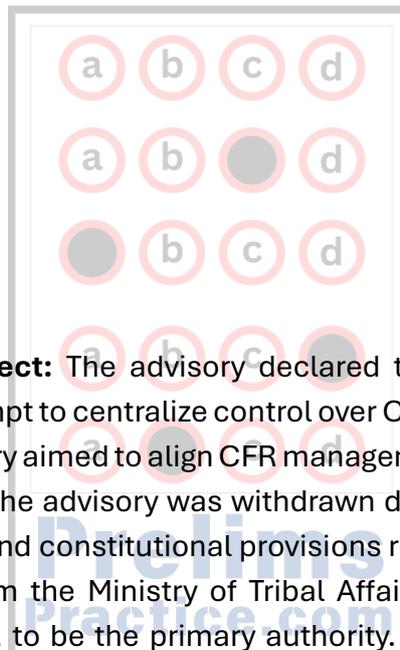
Practice Questions:

1. Consider the following statements regarding the Chhattisgarh Forest Department's recent advisory on Community Forest Rights (CFR) and its withdrawal:

- I. The advisory sought to establish the Forest Department as the nodal agency for implementing CFR, overriding the role of the Gram Sabha
- II. The advisory cited the National Working Plan Code (NWPC), 2023, as a reason for its implementation approach
- III. The Ministry of Tribal Affairs (MoTA) guidelines were in conflict with the advisory, which led to the advisory's withdrawal
- IV. CFR rights empower Gram Sabhas to manage, conserve, and regenerate their customary forests

Which of the statements given above is/are correct?

- a) I and II only
- b) II and III only
- c) I, II and IV only
- d) I, II, III and IV



Answer: c

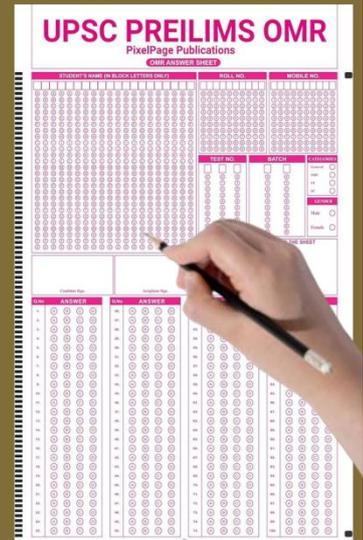
Explanation: Statement I is correct: The advisory declared the Forest Department as the nodal agency, which was seen as an attempt to centralize control over CFR management, contrary to the FRA. **Statement II is correct:** The advisory aimed to align CFR management with the provisions of the NWPC, 2023. **Statement III is incorrect:** The advisory was withdrawn due to protests that the order violated the Forest Rights Act (FRA), 2006, and constitutional provisions related to Scheduled Areas, as well as conflicting with the guidelines from the Ministry of Tribal Affairs (MoTA) which empower the Gram Sabha, not the Forest Department, to be the primary authority. **Statement IV is correct:** CFR rights under Section 3(1)(i) of the FRA, 2006, legally grant forest-dwelling communities the right to manage their customary forests.

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