



Status Report on the Implementation of  
Forest Rights Act in Tamilnadu, 2017



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Compiled by  
Samanvaya Consulting

This status report on the implementation of the Forest Rights Act (FRA) in the state of Tamilnadu has been compiled with the intention of providing an overall idea regarding the situation of the Tribal communities and FRA in the state.

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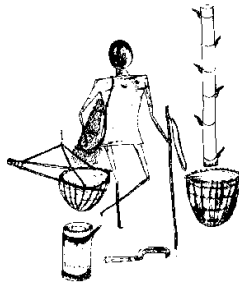
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The workshop on FRA organized would not have been possible if not for the one person effort of Ms. Srividhya of CIOSA. The team is thankful to her for her mammoth effort as well.

## Preface

*“gaav chodab nahin, jangal chodab nahin,  
Amar mathi chodab nahin, ladai chodab nahin”*  
*We shall not forsake our village, we shall not forsake our forests  
This is our home land and we shall not leave the fight for it.*  
– lines from the Tribal land rights campaign song from central India

Access to land, its resources and rights to benefit from the resources is one of the persistent struggles in modern India. A society that has ownership of land is a relatively new concept has seen the early controllers of land and its resources move from the colonial ways of power and slavery based approach to newer forms of regulations and politics based approach in the democratic set-up. While landless agricultural labourers had the innovative and legendary Boodaan movement to gain recognition for the issue even though the actual land distributed didn't stay for long, the case of tribals was far worse. “Due to their access to resources, the forest and agriculture department were organized similar to the military during colonial days”, opined a social scientist talking of the ways in which access was controlled in the colonial times.

Since Independence too, the top-down approach has been a characteristic functioning of these institutions. With the welfare departments having more cosmetic placatory role while the revenue linked resource controlling departments have been completely top-down in their approach. Obviously, the erstwhile controllers of these resources have tried to influence the bureaucratic and regulatory policies to ensure continuation of status quo. This has rendered every policy that assures or asserts equity and equality as desired by the democratic nature of the State, particularly for the traditionally marginalized and ignored communities into that of a major conflict. Every new democracy asserting policy or structure has to struggle to find its implementation as it is an anti-power struggle. Many of them are often lead by the non-State players such as NGOs, activist groups and traditional practitioners.

Tribal rights across the country are characteristic of this conflict of the marginalized in its extreme form. In Tamil Nadu it is further highlighted due to the rather small percentage of the tribal population. The tribal population being scattered across the state, they do not form a politically significant enough constituency to be counted as a lobby group anywhere. Hence a democracy asserting act such as FRA has had a rather difficult birthing process in the state. It has been the non-State players such as NGOs and local tribal welfare based groups that have lead the movement to even make the beneficiaries and the forest department officials become aware of this Act and its privileges. A decade

in granting access to land rights to forest dwelling tribes and what it could mean to their economic and social well being is of least consequence or consideration as far as the State is concerned. Many records for claims have been lost in various stages and tribals have had to go through the process all over again. This status report captures the pangs and pains of birthing yet another democracy asserting attempt by the Indian State towards its citizens and the nuances of such a birthing albeit in a limited space such as Tamil Nadu. We at Samanvaya have had a great learning experience compiling this report thanks to the support and encouragement received from Keystone Foundation, particularly Ms. Sneha, its co-founders. Each of these assertions over land by the tribal community is a chance for the diversity of the land, the intrinsic relationship between people and their land, traditional knowledge and its practice and the forest cover to survive and sustain itself and Swaraj. One of the tribal leaders during an interactive session pointed out to the terrible looking cement door to the 'tribal housing' that the government has provided them funds to construct and the huge rosewood tree under which we were sitting for our discussion and said, "the difference between us and people who come from the towns is that we don't look at this tree as a timber for our doors, for us they are part of our eco-system and family, we can't destroy them". It is these value laden governance over natural resources administered through localized bodies that holds the sustenance of future generations. We hope this effort as well as the advocacy outcome from the workshop facilitate emergence of such an ecosystem.

## List of Abbreviations

FRA - Forest Right Act, 2006	FGD - Focused Group Discussion
OTFD - Other Traditional Forest Dwellers	IR - Individual Rights
JFMC - Joint Forest Management Committee	CR - community Rights
CFR - Community Forest Resources	FRA - Forest Rights Act
SLMC - State Level Monitoring Committee	FRC - Forest Rights Committee
DLMC - District Level Monitoring Committee	FSI - Forest Survey of India
MoEF - Ministry of Environment and Forests	JFM - Joint Forest Management
MoTA - Ministry of Tribal Affairs	MFP - Minor Forest Produce
GPS - Global Positioning System	NTFP - Non-Timber Forest Produce
PDA - Personal Digital Assistant	PESA - Panchayat Extension to Scheduled Areas Act
DFO - Divisional Forest Officer	SC - Scheduled Caste
NTFP - Non-Timber Forest Produce	SDLC - Sub Divisional Level Committee
JFM - Joint Forest Management	SDM - Sub Divisional Magistrate
CEO - Chief Executive Officer	SDO - Sub Divisional Officer
CWLH - Critical Wildlife Habitat	ST - Scheduled Tribe
DFO - Divisional Forest Officer	VRDP - Village Reconstruction and Development Programme
DLC - District Level Committee	WLPA - Wildlife (Protection) Amendment Act 2006
FCA - Forest Conservation Act	



## Chapter I: Introduction

The tribal struggle to claim their right over land and forest resources together with other people's movement and strategic lobbying by the civil society organizations, led to the greatest mobilisation on forest rights that India had ever seen. This also resulted in the passage of *Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights Act)*, 2006, better known as FRA or Forest Rights Act. The Act, which came into force in 2008, provided a new context to forest struggles in India. Despite the watering down of the rights struggle, the FRA was truly historic in its intent in providing entitlements for the forest dwelling tribals to their resources and an acknowledgement of their role in conservation of the national forest reserve. The Act admits that *Adivasis* and other forest dwellers in India have been historically deprived of their just rights, and provides a mechanism for recognizing a bundle of those rights, including over homestead and cultivable lands, ownership of all non-timber forest products, fishing rights and community rights like grazing.

Most of our tribal communities are living in the remotest corners of the country and in the hilly forest regions. The forest area in India extended to about 165 million acres, which in terms of geographical area is approximately 22 per cent of the total land. Out of this, 89.5 million acres fall under the customary boundaries and thus can be used by the tribals for cultivation and small forest resources.

In Tamil Nadu the forest land is 21,072 sq.km. of which 17,264 sq.km is reserved forest and 3,808 sq.kms is reserved land. This constitutes 16 per cent of the total geographical area of the State. In all the dispersal areas, Scheduled Tribes constitute less than 1 per cent of the general population in the respective districts. Scheduled Tribes of Tamil Nadu, Kerala and Karnataka can be broadly classified into five economic categories based on their predominant livelihood activity, viz., (i) settled cultivators – commonly called as traditional Malayalis, (ii) shifting cultivators - Sholaga, (iii) pastoral people - Todas, (iv) Artisans - Koyas and Koragas and (v) food gathering, hunting, fishing and food collection - Irula, Kurumba, Mudugar, Malasar, Urali, Paliyans.

### *The preamble of FRA 2006*

*The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter referred to as the Forest Rights Act or FRA) states that the Act was passed to undo the "historical injustice" committed against the forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in the forests for centuries, but whose rights could not be recorded. It may be interesting to know what is The Forest Rights Act, what are its salient features, why this act was required, various hurdles that are observed while its proper implementation and why there was a requirement for 2012 FRA Amendment rules. This legislation is no doubt hailed as the first correct step in recognizing the fact that the forest dwellers are also a part of the forest and they have the equal right to live there as any flora or fauna.*

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (or FRA) recognises the customary rights of forest dependents scheduled and non-scheduled tribes. The provisions in FRA, recognises that forest dwellers should be involved in sustainable development, conservation of biodiversity and maintenance of the ecological balance as they have a vast traditional knowledge of such practices. Such a practice was only obligatory under the Joint Forest Management (JFM) scheme that Ministry of Environment and Forests (MoEF) had started prior to the enactment of the FRA. According to the FRA and the notification each state should take steps to distribute land to the households who have claimed and to the communities also.

In the case of Tamil Nadu this had not happened due to the court case filed by Mr.V.Sambasivam. Government of Tamil Nadu also postponed executing the Act stating this court case. On 2<sup>nd</sup> Feb 2016, the Supreme Court cleared this case and the situation became clear for the implementation of FRA in the state. However, dedicated rights based groups in the state have meanwhile been raising awareness on the FRA among the tribal community groups and several claims have been prepared. After the notification of Act in the year 2008, the NGOs and tribal movements were able to send 26,000 claim applications to the statutory bodies between 2008 and 2009. However they were not met with any satisfactory response from the State compared to other states across the country. The above mentioned legal case was the most cited reason. During the 8 years between 2008 to 2016, the only response of Government of Tamil Nadu was through formation of committees at the state, district and in some cases, panchayat levels.

With just over a year of actual FRA being made legally possible for implementation in the State, the state is still witnessing several challenges. It is in this background, this report is being prepared. The report primarily brings together learnings from all the efforts on FRA that have been initiated by various groups and individuals during the last several years and also tries to suggest a way forward for a collective action for knowledge sharing and advocacy on this issue. Central to this is the understanding of the potential of land that can be brought under claims through the FRA. While there is no direct way of computing this, there are several datasets available from which this can be inferred. This report tries to bring together such computations and infer the potential claims. It has been compiled through visits, interactions and group discussions with many of the main groups working across the state on FRA by a small team of professionals.

The challenge remains as to what happens once the claims are settled, does the tribal community aspire to continue to live in the forests, utilizing its resources,

practicing the traditional livelihoods? Does the community want to migrate like the rest of the rural parts into the urban pockets? Has the invasion of the forest land for resources and in the buffer area for water and food still provide the ambience for the tribal communities to continue their vocations? These are the questions that beg to be addressed as a collective for the various groups involved with the FRA implementation. To ensure that there is a combination of the FRA implementation along with the emergence of an ecosystem for sustainable livelihoods for these communities is essential. A synopsis of the report was compiled and presented during a workshop in June 2017 to all the major FRA champions in Tamil Nadu. The workshop brought together several tribal groups, who deliberated on these issues and arrived at some insights as well as joint action plans. This final report consists of these insights along with the deliberations during the workshop.

The role of forests cannot be over emphasized in Tamil Nadu as the state has witnessed the impact of climate change in the past few years through excessive short duration rains, unprecedented cyclonic storm and a drought. The total forest cover in the tribal districts is 7,165 sq. Kms. which is 23.32 percent of the geographical area of the hill districts. Out of the Tribal districts, Out of the Hill and Tribal districts combined, the forest cover has had a negative growth in Tiruvannamalai, Nilgiris and Perambalur whereas it has had a positive growth in other tribal and hill districts in the state.

The need for creating more green reserves are often seen as part of the solution. However, the existing forests and their conservation remains a challenge, particularly for the traditional forest dwelling communities that wish to continue to live and work within their forests. Addressing their needs will be critical for the sustainability plans of the state.

## Chapter II: Scope and Methodology

The research team felt the need to find the status of the implementation FRA 2006 in Tamil Nadu and decided to meet the key stakeholders

- a. Tribal community members - the official rightful communities
- b. Department of Forest
- c. Department of Tribal Welfare and
- d. NGOs who are facilitating the tribal movement in building awareness and facilitating in preparing the claims of individual and community rights.

### Objective of the study

- a. To take stock of the implementation status FRA 2006 by the Government of Tamil Nadu.
- b. To identify the issues and challenges for the key stakeholders for implementation of the FRA in Tamil Nadu.
- c. To study the potential opportunity for sustainable livelihood initiatives among these communities and
- d. Exploring possibilities collective action of all stakeholders.



Participatory methodology was adopted for the study in order to involve all the stakeholders in the study and to register the diverse views of each sect of stakeholders. The Focus area of the study

- a. Awareness level of the Community on FRA
- b. Communities access to information on FRA
- c. Level of intervention by the Key stakeholders in FRA.
- d. Issues and challenges in preparing and processing individual and community claims.
- e. Efforts of Line department in implementing the FRA

The study was carried out among the following primary stakeholders;

- Forest tribal / dwellers
- Tribal women
- NGOs involved in tribal development/rights
- Tribal movements - involved in the struggles for forest Rights
- State line department - forest department, tribal department

- Tribal Farmers
- Labourers in fishing and agriculture

### **Data collection Tools**

The tools and techniques used for the study were:

- Transit walk
- Social mapping
- Resource mapping
- Focus Group Discussion
- Visits and discussion with the movements and NGOs
- Observation visits
- Interview with the communities/leaders

### **Sources of secondary data**

The secondary data were collected from the following Departments and also discussions with the list of officials given below;

#### **Department**

- Department of Forest
- Department of Rural Development & Panchayati Raj
- Census Department
- MoTA
- fra.org
- RTI data
- Tamil Nadu Ministry of Schedule Caste and Tribal Welfare

#### **Officials**

- Director of state tribal department of Tamil Nadu
- Forest ranger at Yercaud
- Village Panchayat executives at Kolli Hills

## Chapter III: Overview of Tamil Nadu Forest coverage and tribal communities

### Geographical Spread

Tamil Nadu from the Tribal community perspective can be broadly divided into two geographical divisions, viz., (1) the Eastern coastline and (2) the mountainous region in the North and west where a large majority of Scheduled Tribal people live. The famous ranges of the Western Ghats (Sahyadri hills) run southwards along the whole length of the western border of Tamil Nadu until they terminate at the Cape Comorin which is the southernmost tip of the state. The Eastern Ghats originating in Orissa and passing through Andhra Pradesh enter Tamil Nadu and run across the districts of Thiruvannamalai, Salem and Coimbatore. They finally join the Western Ghats to form the world famous Nilgiri Plateau where equally famous tribes like Toda, Kurumba and Kota are living. The average elevation of the Eastern Ghats is 2000 feet and their highest peaks are about 6000 feet. This Ghats range is very much broken in the districts of Thiruvannamalai, Salem and Coimbatore and it reaches the Biligire-Ranga hills in Coimbatore district before joining the Western Ghats. The important hill groups like the Jawadhu hills and Yelagiri hills of Thiruvannamalai and Vellore districts, the Kalrayan hills of Villupuram and Salem districts, the Pachamalais, the Kollimalais and Yercaud ranges of Salem district, the Anaimalais of Coimbatore district, the Sitteri hills of Dharmapuri district, the Palani of Madurai district are an offshoot of either the Eastern or the Western Ghats.

The Jawadhu hills are the Loftiest Mountains of the Eastern Ghats and spread over the eastern part of Tirupattur taluk, the northern portion of Chengam taluk and western part of Polur taluk in Thiruvannamalai district. The general elevation of Jawwadhu hills is about 2500 feet. The Yelagiri hills are located in the Central part of Tirupattur taluk. Malayali, Irula and Kurumans are the chief tribes inhabiting these hills.

The Kalrayan hill range runs from North to South in the western part of Kallakurichi taluk of Villupuram district and the Northern part of Attur taluk of Salem District. The boundary between the Villupuram and Salem districts runs through the top of the Kalrayan hill range. The altitude of Kalrayan hills varies from 2000 to 3000 feet. These hills rise abruptly like a wall, shutting the Kallakurichi town from the West. Gingee hills, another important group of hills are located in Gingee taluk of Villupuram district. The Gingee hills run South West wards for about 14 miles from Gingee town. A large part of Gingee hills are

covered with Reserved Forests. The Kalrayan hills are relatively smooth and covered with soils suitable for plant growth whereas the Gingee hills are characterized by jagged skyline and consist of masses of bare rock and big boulders.

The Salem Kalrayan hills consist of two divisions. The Northern portion with an average altitude of 2700 feet is called 'Chinna Kalrayan' and the Southern portion with an altitude of about 4000 feet is called 'Periya Kalrayan'. Kollimalais containing peaks of over 4000 feet, are located in of Salem district.

Shervaroyan hills are another important hill range spread over an area of 150 sq-miles in Salem district. The Vanniar stream divides this range into different portions. One portion consists of Yercaud hills with an altitude of about 4500 feet (Yercaud taluk). The Pachamalais (Green hills) is the second portion, which extends to the Trichy District.<sup>1</sup> . This hilly area is geographically continuous to Kolli hills. Bamboos up to an altitude of 3000 feet are found on these hills. Malayali, Irula and Kurumans are the chief tribes found in the hilly areas of Salem district.

The Coimbatore district is bounded on the North by the arm of Western Ghats over an area of 60 miles towards the east. This area consists of tall hills called Biligiri-Rangam and Hasanur hills on the Karnataka border and Burgur and Palamalai hills on the border of Salem district. On the west are the Vellingiri and Boluvampatti hills, which are an extension of the Western Ghats. On the south, another arm of the Western Ghats stretches from the Anamalais on the border of Kerala upon the Palani hills in Dindigal district. Irula, Sholaga and Malasar, are the chief tribes inhabiting these hilly areas.

The Sitteri hills of Dharmapuri district are inhabited by Malayalis, Irulas and Kurumans. Palliyan, Pulayan and Muduvan tribes are found in the Palani hills of Dindigal district.

The Nilgiri hills are formed at the junction of the ranges of the Eastern and Western Ghats, which run southwards at a converging angle in the state. It consists of the great plateau spread over an area of 35 miles long and 20 miles broad at an average altitude of 6500 feet, and three other outlying tracts, viz., 1) a strip of malarious jungle at the northern foot of the plateau, (2) the Ouchterlony valley on the west and (3) the area further west called south East-Wayanad, Nilgiri Hills which were endowed with thick valuable forests in the early 19<sup>th</sup> century, are now transformed into tea and coffee plantations and rich

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<sup>1</sup> Now it is in Perambalur district..

fields for cultivation of tribes like Toda, Kurumba, Kota, Irula and Paniya. Several non-tribal groups immigrated into the Nilgiri plateau reducing the tribal people to a minority group.

Dharmapuri district is predominantly covered with forests. Spider valley located near Hogenakkal is home for many wild animals. The district falls in the migratory path of elephants. Man and elephant conflicts are most common in these parts. Many tribal communities depend on these forests. Vathalmalai, a mountain hamlet on top of Shervarayan hill chain has suitable conditions to cultivate coffee and jack fruit. Wild boars and spotted deers are commonly seen in Morappur and Harur forest region. Gaurs sometimes stroll near villages near bommidi region. Thoppur ghat section has one of the scenic highways surrounded by mountains and forests. This district lies in a geography where both Western and Eastern ghats make their presence. The Sitteri hills of Dharmapuri district are inhabited by Malayalis, Irulas and Kurumans. Palliyan, Pulayan and Muduvan tribes are found in the Palani hills of Dindigal district.

The forests of the Krishnagiri district are forming part of the Eastern Ghats. The major hills are known by the name Melagiris and Baramahal. The major forest type is dry deciduous in nature with dry thorn and dry evergreen elements also. The forests are known for their rich floristic and faunal diversity. The forest cover of the district extends over 1482 sq.km, constitutes 28% of the area under forests, forming catchment for the important rivers like Cauvery and Chinnar.



## **Chapter IV: Schedule Tribe Population and their socio-economic status**

### **Tribal Population & Classification through various government schemes**

The total population of Tamil Nadu as per 2011 census is 7.21 crore, which includes Scheduled Caste 144.38 lakh (20.01 per cent) and Scheduled tribes 7.95 lakh (1.10 per cent).

A separate Tribal Directorate was created in the year 2000 to address the welfare of the tribal population in the State. The population of Tribals are more than 10,000 in 18 Districts viz., Salem, Tiruvannamalai, Villupuram, Vellore, Dharmapuri, Namakkal, Tiruvallur, Kancheepuram, Nilgiris, Coimbatore, Krishnagiri, Erode, Tiruchirappalli, Cuddalore, Madurai, Ariyalur, Tirunelveli and Chennai. Particularly Vulnerable Tribal Groups (PVTGs): Based on the population, the Tribal population is divided into two groups. Tribal people who are concentrated in a particular area and the Dispersed Tribes who are scattered throughout the State. Out of the 36 Tribal communities in Tamil Nadu, 6 Tribal Communities i.e. Toda, Kota, Kurumba, Irula, Paniya and Kattunayakan population have neither decreased nor increased and their population remains static in their habitats, these communities are known as Particularly Vulnerable Tribal Groups (PVTGs).

Tamil Nadu has 10 Integrated Tribal Development Programme (ITDP) areas covering 7 districts. ST population in these area are more than 50%. These are Malayali, Kurumbas, Kanikaran, Kammara, Kota and Toda. Malayali have been notified in Dharmapuri, Vellore, Thiruvannamalai, Pudukkottai, Salem, Namakkal, Villupuram, Cuddalore, Tiruchirapalli, Karur and Perambalur districts, Kurumbas in Nilgiri district, Kanikaran in Kanniyakumari district and Shencottah taluk of Tirunelveli district. Kammara, Kota and Toda have been notified throughout the state except Kanniyakumari district and Shencottah taluk of Tirunelveli district.

### **Understanding the spread of the Tribal population <sup>2</sup>**

- The largest concentration of Scheduled Tribal population is found in the northern districts of the state. Salem district has the largest concentration (15%) of S.T. population in the state. Thiruvannamalai District accounts for 11%, Villupuram district 9% and Dharmapuri 7% and Tiruchirappalli districts 2% each, of the total Scheduled Tribal population in the state. The above areas are therefore classified as tribal concentration areas. Nilgiris

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<sup>2</sup> Refer table-1

represents 4% of the total tribal population.

- Chengalpattu district also accounts for 5% of total Scheduled Tribal population in the state. Irular, the main tribe in this district does not live in compact settlements in this district. They live in small groups working as labourers in factories and rice mills in towns. Hence it may be described as a dispersed tribal situation.
- Coimbatore district accounts for 3.5% while Erode, Madurai and Tirunelveli district accounts for about 1% each, of total Scheduled Tribal population in the state. The other districts, excluding Nilgiris, account for less than 2% of total Scheduled Tribal population in the state. These districts including Chengalpet district represent dispersed tribal situation.
- Although Nilgiris has 4% of total Scheduled Tribal population in the state, it is described as primitive tribal area because of the presence of ancient and pre-agricultural Tribes like Toda, Kurumba and Kota in the district. Irular, Paniya and Kattunaikan are the other primitive tribes in the area.
- It is important to note that S.Ts constitute as marginal groups in terms of their proportion to general population in any district in the state.
- Looking to tribal concentration areas, S.Ts constitutes 4% of general population in Salem district, 2% in Thiruvannamalai district and 1% in district. In Nilgiris (Primitive tribal areas), S.Ts account for 3% of general population in the district. In all the dispersed areas, S.Ts constitutes less than 1% of general population in their respective districts.

### **Tribal Composition<sup>3</sup>**

- There are 36 tribal communities in Tamil Nadu. Out of these the 14 numerically dominant groups form 96.33 per cent of the total tribal population of Tamil Nadu. Only two tribes, namely, Malayali and Irular have population size of above one Lakh. Together, they form 68.66 per cent of the total tribal population in Tamil Nadu with Malayali constituting a major proportion of 45.6 per cent. Only five other tribes have 10,000 plus population in the state. 16 have population size below 2000.

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<sup>3</sup> Table 2

## **Literacy and Educational Level**

- According to 2011 Census, percentage of ST literate (those who can read and write with understanding) persons aged 7 years and above is 54.34 per cent in the state, which is lower than 80.9 per cent reported for the state as a whole. The literacy rate (54.5 per cent) has however increased from 41.5 per cent recorded in 2001 Census.
- The major STs, Konda Reddis, Kammaras, Kanikaranm, Konda, Koppas are reported to have the highest per cent literacy rate with above 80%, followed by Kurumans (61.4 per cent), Kattunayakan (65.7 per cent), Malayali (51.4 per cent) and Irular (34.3 per cent). The female literacy rate of 32.8 per cent among ST population is lower than 64.4 per cent registered among total female population of the state.
- State has impressive GER among the STs, at 31.8 it is almost thrice of this the India. With such high GER providing relevant and meaningful employment to satisfy the aspiration of this group will be challenging.

## **Main Occupation**

- a. Collecting and Gathering Type – Kadukkai, Tamarind, Honey, etc., in Dharmapuri and Krishnagiri districts .
- b. Cattle – Herder Type (particular to Krishnagiri and Dharmapuri the forest tribes are having cattles and spend their time for rearing)
- c. The Simple Artisan Type – Nilgiris
- d. Hill and Shifting Cultivation Type – Cuddalur and Sathiyamangalam
- e. Settled Agricultural Type - Malayalee tribes in western ghats
- f. Agriculture labourers – Thiruvallur district Irulas

## **Workers**

- Cultivators and agricultural labourers constitute more than 55% of the main worker. About 10% are marginal workers. Malayali and Irula tribe constitute major population group. However just over 3 percent are main cultivators whereas 23% of the Malayali tribe are cultivators. Cultivators among the all PVTGs are less than 10%
- Tribes offer manual labour unique to them. They go as agriculture labours to work in coffee plantation, spices plantation, and as wood cutters. Their ability to carry wood logs for miles make them a valuable and irreplaceable worker. They are lured to smugglings by the city dwellers for this ability. It is an open secret in many parts of Salem and Thiruvannamalai districts in particular, that the young venture into this work knowingly.

- Average wage per day for male is about Rs 350 with food, if he goes to other hills then it is as high as Rs 500 with accommodation.

## **Land Alienation**

Planning Commission and Tribal committee report has done extensive studies on land alienation of Tribal Land. In a study conducted by Tribal Research Institute 1988 and ACCORD NGO in 1998, both Government of India. The study was done in 9 districts.

In Tamil Nadu, the following Acts are in operations:

1. The Madras money-lenders Act of 1937
2. The Madras Pawn Brokers Act of 1943
3. The Madras Debt Conciliation Act of 1936
4. The Madras Indebted Agriculturists (Repayment of Debts) Act of 1955
5. Tamil Nadu Debt Relief Act of 1976
6. Tamil Nadu Debt Relief Act of 1980
7. Tamil Nadu Debt Relief Act of 1982.

All the above Acts are meant to protect the backward people against exploitation by the general population. As the provisions in the above acts are found to be inadequate to cover the tribal situation, the Government of Tamil Nadu is actively contemplating to introduce fresh legislation dealing with regulation of private money lending and debt redemption for the benefit of tribal people.

Tribal lands can be broadly divided into two categories viz., (1) Private lands with full-fledged rights and (2) Government assigned lands. Revenue promboke or forest promboke are assigned to the tribal people in several cases government gave conditional pattas on these lands to the tribal assignees. As per the terms and conditions of this assignment, the tribal assignee should himself cultivate these lands and should not transfer, donate, sell and mortgage (Usufructuary type) these lands for a period of ten years. Any violation of these conditions would empower the state government to confiscate these lands. The Revenue board standing orders containing the above terms and conditions governing assigned lands are felt to be adequate to deal with cases of alienation of assigned lands.

Nevertheless several cases of alienation of assigned lands came to our notice. In Kallampalayam village of Kothagiri taluk (Nilgiris) some of the assigned lands were encroached upon non-tribal people. The enraged tribals requested the District Administration to restore these lands to them. The District Administration took prompt action in restoring these lands to the original tribal

assignees. In Bokkapuram hamlet of Sholur Kokkal revenue village, the Nilgiris District Administration failed to take action against encroachments by non-tribals, even though the tribal assignees complained to the government. The administrative machinery itself is not strong enough to constantly supervise the cultivation of assigned land by tribal people themselves. Todas of Nilgiris are given lands for cultivation on annual permit basis. But a large majority of Todas lease out their lands to non-tribal people. (Planning commission study by Naseer).

Land is an inalienable right for the tribe for livelihood, culture and social bonding. This legislation addresses the very fundamental to the existence of tribes.

### **Inference from the Socio Economic Data**

- Eastern and Western Ghats vary in composition of tribes, income, education and livelihood pattern. This will require different strategies.
- Western Ghats has most of the reserved forest.
- Malayali Koundar tribe, the highest cultivators are also low in literacy.
- GER has constantly increased, with 31.8 GER it will be a challenge to hold educated tribes within the forest and provide them meaningful employment. This reflects in FRC member constitution, almost all the members of FRC are above 40.
- Tribals in Salem, Nammakkal, Thiruvanamalai have the highest number of land holding<sup>4</sup>
- Average land holding by the tribes is less than 2 acres.<sup>5</sup>
- All PVTGs are in Nilgiri districts, and number of landholders and cultivators are low in this districts. Extra effort required to identify, and train tribe as farmers
- Malayi tribes have become accustomed to agriculture, their main source of income is agriculture, however they are also main source of migrant labour in the forest area.
- Irula, second highest tribe are not cultivators, neither do they have land holding, Irulas in the plains don't even have forest land to claim

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<sup>4</sup> Agriculture census 2010-11 (Annexure-

<sup>5</sup> Agriculture census 2010-11

## Chapter V: Synopsis of FRA Claims Status

Several data, often conflicting have been found in terms of determining the exact no. of FRA claims that have been made in the state.

1. An updated status of State-wise implementation of the Act is given in Annexure-I. As per the information collected till 31st January 2017<sup>6</sup>, across the country, 41,71,788 claims (40,35,513 individual and 1,36,275 community claims) have been filed and 17,83,262 titles (17,20,742 individual and 62,520 community claims) have been distributed. A total of 36,22,628 (86.84%) claims have been disposed of.
2. According to the monthly report filed by the TN Govt to MOTA, 21,781 claims have been filed in the State of Tamil Nadu and 3,723 titles are ready for distribution, the State Government had, till now (June 2017), not been able to distribute the titles due to the stay order of the Madras High Court being in force, said an announcement by the central government.
3. Information received from the tribal department, as on 31.3.2017, 2551 titles of 3751 acres have been referenced by government and ready for distribution.
4. Tamil Nadu is classified as most laggard states in the monthly reports of MOTA.
5. No reason has been given for rejection of the claims at all levels
6. Though Tamil Nadu has 19 lakhs<sup>7</sup> acres of potential forest land can be used for CFR and IFR, no CFR that has been claimed has been settlement till date.
7. Tribal community members are keen on IFR, however there is still reluctance and ignorance about the CFR
8. Information received from the tribal department as on 31.3.2017, 2551 titles have been geo referenced and ready for distribution.
9. The figure mentioned in the Monthly report of MOTA has not changed for the last 6 years (18,420 IFR claims and 336121).
10. No CR claim has been processed, though at the Dist. Level Committee, 640 claims are approved. At the Gram Sabha level, 22,208 for IFR and 6460 for CR claims have been made. Of that only 2551 is approved, and 5821 applications are rejected. More than 13800 claims are in process.
11. On 1<sup>st</sup> May 2017, additional 12874 claims have been submitted at the Gram sabha across the state.

A district wise break-up of the total available is provided in Table 9. Some of the key features are highlighted below based on these claims.

- Salem, Thiruvanamalai which has the largest tribal population, has the

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<sup>6</sup> MOTA website

<sup>7</sup> Promise and performance report. [www.cfrla.org.in](http://www.cfrla.org.in)

- least number of claims processed at levels
- Just about 11 % of the claims at GSL were approved and ready for the distribution
  - Rejection at the GLS is astonishingly 43%. At SLDC and DLC rejection is at 5% and 9% .
  - Total rejection is 5819 of that 5279 is rejected at the GSL
  - Of the total claims 13838 are neither accepted or rejected
  - The monthly report submitted by the TN to the MOTA says 3723 claims are ready to be distribute however the policy note 2016 1300 and the as of now only 2551 is ready.
  - No CFR is ready for settlement

## Chapter VI: Issues and Challenges

1. FRA addresses past injustices to the tribal community, but it does not adequately envision or aim to address future challenges. There is still ambiguity about development agenda for the tribal parts and forest lands. The key conflict seems to be whether to retain the unique identity and way of life by the tribal community or mainstream them. In Tamil Nadu, the latter phenomenal seems to have succeeded in most parts.
2. With rapid urbanisation of hills and promotion of tourism, traditional practices and occupation are coming down, in this context the relevance and utility of CFR ought to be redefined to be practically useful for the community.
3. Almost all the tribes in the Western Ghats are new to farming, they don't hold land. Whereas tribals in the Eastern Ghats are accustomed to agriculture.

### Awareness

4. Awareness creation is seldom done by the tribal welfare ministry, in almost all the districts it is the NGOs who take effort fill the necessary documents and pursue the process.
5. Multiple power centres within the community also creates obstacle in implementing FRA.
6. Tribals are still confused on the roles and powers of FRC, VFC and JMC.
7. Low representation of women and youth in FRC, during the community discussions also the team couldn't get participation of women in the discussion.

### Forest Department

8. There is a perceived reluctance or apprehension within the forest department to implement FRA in spirit.
9. Despite the law notified 10 years ago, the tribals often highlight being harassed by the forest department in accessing their entitled land.
10. During the implementing FRA, government has failed to confront the forest bureaucracy and make it clear that any obstruction on their part is unacceptable. They have actively mis-informed, and mis-quoted the various provisions of the Act. It is also noticed that there are procedural violation, in some villages VAO, VFCs, JFM, fill up claims subverting the FRC.
11. The plight of the tribals living within the sanctuaries are even worse.



## **Gramsabha/SDLC/DLC**

1. Since panchayat elections are not held, the approval process has delayed. The clerk is entrusted with the activities of filing the forms, their lack of knowledge and other responsibilities delay the process.
2. Many panchayats where the tribal live are not “tribal panchayats”. In such cases, the interest levels of the Panchayat presidents are low in implementing or even understanding the FRA. Though tribal village can have gramsabha at the village level, this is not held.
3. The panchayats raj institute members in SDLC and DLC are not aware of the FRA and they are not able to make any meaningful contribution in facilitating the FRA land claims being made
4. The experiences of the tribal representatives in the DLC and SDLC are not encouraging. Meetings are held at short notice and many are not able participate due to long distance to be travelled and cost involved
5. Lack of staff and knowledge at levels of the government is a major issue. There is no dedicated team to manage the implementation of this Act. Surveying of the forest area in a distant and remote village is time consuming and difficult work. This reflects in the claims that are under process. Close of 13000 applications are to be verified at various levels. For example 22208 claims have been made at the GSL, of this close of 11000 are not verified at the GSL itself.

## **Forest Resource Committee**

1. There is no homogenous policy in forming groups. In some districts, FRC is formed at hamlet level, in some it is at panchayats level. Though women are supposed to be part of the FRC, we didn't meet any women in many districts, especially in the eastern ghats
2. The average age of the FRC committee is above 40, and many are illiterate, this means there is no clarity or comprehension of their role among the members
3. In some villages members are not even aware that they are part of FRC, they confuse with JFM or village forest committees.

## Chapter VII: Potential and Opportunities

### Claims Potential IFR

We have tried to estimate number of tribals who can benefit from the FRA and what would be the potential land they can receive under this act by using census and agriculture data. For the calculation of the potential data we have taken 18 districts where the population of STs is more than 10000. We have looked at three different ways of computing the potential. These are:

1. Option 1: Possible claim from all the main and marginal cultivators in these villages. If we assume that all the main and marginal cultivators make claims for the land, the total land for which claims will be made will be to the tune of 2,63,406 acres
2. Option 2: Assuming that land is equally distributed (within the prescribed minimum and maximum limits) to all the landless cultivators as mentioned in the census data. Through this method if we compute, there are about 57,000 cultivators without land, if land is offered to these cultivators, a minimum 1.15 lakh acres to, maximum of 5.7 lakh acres can be distributed / claimed as per FRA
3. Option 3: If we assume that all the households were taken as beneficiaries and the land is claimed by all of them in these villages, then taking the household level data – there are 32,932 households which can benefit, and can claim minimum of 66,000 acres of land for cultivation

The table below shows all the three computation methods and the lands that can be claimed (minimum and maximum limits) under each one of these methods of computing for all of the state.

	<b>Cultivator s</b>	<b>Household</b>	<b>Landless</b>	<b>Landless Cultivator Household</b>
Population	131703	32926	57695	14423.75
Minimum Claims Possible (in acres)	263406	65851.5	115390	28847.5
Maximum Claims Possible (in acres)	1317030	329257.5	576950	144237.5

### Calculation: Land for landless labourers

- a. No of landless agricultural labourers 184163
- b. No of household with agriculture labour: 46040

	No	Household
Agriculture labourers	184163	46041
Minimum	368326	92081.5
Maximum	1841630	460407.5

If we were to distribute these claim possibilities across the districts, it is possible to construct a matrix of the districts based on the above data and see the districts with the highest and lowest potential for claims. The same is computed and provided below.

<b>Forest Land</b>	High	Salem, Nammakkal	Dharmapuri, Krihsnagiri, Vellore	Coimbatore, Erode, Nilgiris
	Medium	Thiruvanamalai	Trichy, Villupuram	Thirunelveli
	Low	Thiruvallur		Chennai, Ariyalur
		High	Medium	Low

### Calculation of IFR and CFR in the Eastern and Western Ghats

#### Claims potential CFR

Forest land within the customary revenue village boundary is 1,90,000 acre in Tamil Nadu.

#### Calculation of potential for the ITDP<sup>8</sup> (Eastern Ghats covering 7 districts)

If we focus on ITDP area, IFR claims can be as high as 69872 and a land in the range of 1,40,000 acres. (See table 10)

CFR in these districts can be a minimum 2,02,323 ha ie about 5,00,000 acres

#### Calculation of Potential IFR and CFR in western ghats<sup>9</sup>

- a. No of tribes in this region 46,599, and ST household of 12,000

<sup>8</sup> 10 ITDP regions from 7 Districts. All the ITDP areas are in the eastern ghats

<sup>9</sup> Districts covered are Erode, Nilgiris and Thirunelveli (Table9)

- b. No of cultivators 2799, Number of agriculture labours 13889, total workers 26589
- c. Total forest land (394400 ha+187000 ha<sup>10</sup>) 581400 (13,95,350 acres of CFR land)
- d. IFR in the range of 12000 to 16,688 claims can get land in the range of 24,000 acres to 1,70,000 acres

### **Claims potential CFR**

Forest land within the customary revenue village boundary is 1,90,000 acre in Tamil Nadu. CFR in these districts can be a minimum 2,02,323 acres

### **Calculation of CFR in Biosphere regions:**

The biosphere region is defined as core, buffer and transition zones.

**Core Zone:** Core zone must contain suitable habitat for numerous plant and animal species, including higher order predators and may contain centres of endemism. Core areas often conserve the wild relatives of economic species and also represent important genetic reservoirs having exceptional scientific interest. A core zone being National Park or Sanctuary/protected/regulated mostly under the Wildlife (Protection) Act, 1972. Whilst realizing that perturbation is an ingredient of ecosystem functioning, the core zone is to be kept free from human pressures external to the system.

**Buffer Zone:** The buffer zone, adjoins or surrounds core zone, uses and activities are managed in this area in the ways that help in protection of core zone in its natural condition. These uses and activities include restoration, demonstration sites for enhancing value addition to the resources, limited recreation, tourism, fishing, grazing, etc; which are permitted to reduce its effect on core zone. Research and educational activities are to be encouraged. Human activities, if natural within BR, are likely to continue if these do not adversely affect the ecological diversity.

**Transition Zone:** The transition area is the outermost part of a biosphere reserve. This is usually not delimited one and is a zone of cooperation where conservation knowledge and management skills are applied and uses are managed in harmony with the purpose of the biosphere reserve. This includes settlements, crop lands, managed forests and area for intensive recreation and other economic uses characteristics of the region.

**Nilgiris Biosphere Reserve:** The total area of the Biosphere reserve is 5520 Sq. K.m out of which major portion of 2537.6 Sq. Kms. is in Tamil Nadu with 1527 Sq. Km. in Karnataka and 1455.4 Sq. Kms. in Kerala.

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<sup>10</sup> Forest land under buffer and transition zone

The Biosphere Reserve now covers parts of The Nilgiris (Mudumalai WL Sanctuary & National Park (321.1), Mukurthi National Park (78), Nilgiris North (448.3), Nilgiris South (198.8)), Erode (Sathyamangalam (745.9), Erode (49.3)) and Coimbatore (696.2) Districts in Tamil Nadu.

The Biosphere reserve is split into three major zones viz. Core Zone, Manipulation forestry Zone, Tourism Zone and Restoration Zone. The break up for the above four zones are as follows:

- a. Core Zone 1240.3 Sq. Km (22.5%) ,
- b. Manipulation forestry Zone or transition zone: 3238.7 Sq.Km (58.6%) . ,
- c. Tourism Zone: 335.0 Sq. Km.(6.1%) ,
- d. Restoration Zone : 706.4 Sq. Km. (12.8%).

**Possible CFR in Nilgiri Bio Region:** Transition and restoration zone of 3238+706 Sq Kms, is 3944 ie 394400 ha.

### **Agasthiyarmalai Biosphere Reserve**

The total area of the Biosphere reserve is 3500.36 Sq. k.m out of which 1828 Sq. kms. is in Kerala and 1672.36 Sq. Kms. is in Tamil Nadu. The Biosphere Reserve now covers parts of Tirunelveli and Kanyakumari 12 thous District in Tamil Nadu and Thiruvanantha puram, Kollam and Pathanamthitta District in Kerala. The Biosphere reserve is split into three major zones viz. Core Zone, Buffer Zone and Transition Zone

In Tamil Nadu the break up for the above three zones are as follows: Core Zone: 691 Sq. km , Buffer Zone: 198.36 Sq. km Transition 1672.36 Sq. km. The sanctuaries covered are Kalakad Mundanthurai Tiger Reserve. **Possible CFR is 187000 ha.**

### **Livelihood**

a. Non-timber forest products: Tamil Nadu's forests yield a large number of diverse Non-Timber Forest Products (NTFPs). Estimated annual production of some of the commercially important NTFPs 37440.02 MT <sup>11</sup>

b. FRC can become a potential institution to manage forest produce. The potential forest area for CFR can be 19,00,000 acre according Rights and Resource Initiative (2015).

c. The potential CFR in the ITDP will about 2 lakh hectare

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<sup>11</sup> [http://www.pudhuvaazhvu.org/documents/latestnews/ESMF\\_report\\_section\\_I\\_27th%20April.pdf](http://www.pudhuvaazhvu.org/documents/latestnews/ESMF_report_section_I_27th%20April.pdf)

d. NTFP contributes to about 20 percent to 40 percent of the annual income of forest dwellers who are mostly disadvantaged and landless communities with a dominant population of tribals

e. Most of the NTFPs are collected and used/sold by women, and so has a strong linkage to women's financial empowerment in the forest-fringe areas.

f. Post land distribution how do we help tribes especially in the western ghats to maximise income from the agriculture

g. Opportunity for tribal cooperatives to collectively sell small and minor forest resource.

h. Focus women based organisation or enterprise as they will play a significant role as gatherers of minor forest produce.

## Chapter VIII: Road Map

According to the promise and performance report by Oxfam- rights and resource initiatives has estimated about 19,00,000 acres of forest land can come under CFR

We have tried to estimate number of tribals can benefit from the FRA and what would be potential land they can receive under this act by using census and agriculture data. For the calculation of the potential we have taken only 18 districts where the population of STs are more than 10000.

We have taken the following data to arrive at a potential IFR:

- a. Availability of forest land in the district
- b. No of main workers
- c. No of main and marginal cultivators
- d. No of agriculture labourers
- e. No of STs owning land<sup>12</sup>

### **NGO Collaboration and Training**

1. Central common resource pool and secretariat for sharing learning for all the organisations who are working in this area
2. It is suggested to have facilitation committee of all the groups interested and working in this area
3. Women are the significant NTFP collectors, hence focus on women FRC members as they can play an important role in conservation and management of forest resources.
4. Involving tribal youths, creating awareness about FRA among them is crucial, should also explore possibilities of involving them in the FRC committee
5. Tamilnadu runs about 300 residential schools for the tribal children, creating a special course in forest protection, nurture and economy will help.
6. Building pressure at the district level to create awareness can also be the agenda for the committee

### **Advocacy**

1. Tamil Nadu has lost 10 years since the enactment of FRA. Dedicated team at district level is required for the fair and fast implementation and to pressurise government to take FRA implementation in a mission mode
2. Train FRC, SLDC and DLC members together at the district level.

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<sup>12</sup> Agri census 2010-11

3. Seeking formal partnership with NGOs and other civil society organisations in the implementation of the FRA.
4. Ministry should ensure proper reasons are communicated to the claimant for rejection of their application. Creating an online tracking system in line with the current emphasis on digitalization of government services can go a long way in this direction
5. Strengthen panchayat institutions to implement FRA.
6. Include FRA as a part of curriculum in the training programme for the panchayat secretaries
7. Constitute state tribal commission
8. Publish the work taken by the ministry in the website. Information to include claims at various levels, details of the members at FRC, SDLC, DLC and the state monitoring committee for the FRA
9. Special team to focus on claims by PVTGS.
10. Identifying the villages which are situated inside the forests and near the forest area. Such data should be made by the Forest Survey of India and then handed over to the States
11. Mapping of community forest area needs skills and technology which is an important step as well. It is mentioned in the Act that the Gram Sabha or the Forest Rights Committee should be provided with the latest technology to prepare satellite map and demarcate boundary that is claimed.



## Chapter IX: Workshop Outcome & Resolution

The summary of the above report was submitted in a 1-day workshop held on the 1<sup>st</sup> of June in Chennai which was attended by all the major NGOs facilitating FRA implementation in Tamilnadu. The following is the press note with the resolutions from the workshop.



### **‘Workshop on Forest Rights Act & Tribal Livelihoods in Tamil Nadu’ held in Chennai**

- Close to 100 Tribal leaders, Community leaders and NGOs Participated●
- FRA Advocacy Group Formed To Monitor and Support Implementation ●

‘Workshop on Forest Right Act and Tribal Livelihoods in Tamil Nadu’ was held today (1 June 2017) at Chennai. The workshop was hosted by Keystone - Kotagiri, Village Reconstruction and Development Project (VRDP) – Salem & Tamil Nadu People's Forum for Land Right (TPLFR).

### **Following resolutions were taken in the meeting**

1. That the Tribal coalition will wait till the 15<sup>th</sup> of August before they launch a statewide movement towards pressurizing the government to take action on FRA. The coalition expects the government to distribute all the 2551 title by then.
2. The coalition demand that the FRA is implemented in its spirit and ensure no rights or process are abrogated at any level and by any department.
3. Formally acknowledge and allow NGOs and other civil society organisations in the implementation of the FRA in partnership with the government in training and monitoring the implementation.
4. Ministry should ensure proper reasons are communicated to the claimant for rejection of their application as prescribed by the act.

5. Department should create a special grievance cell to address the issues faced by Tribals.

6. Department to publish the work taken by the ministry in the website on a monthly basis. Information to include claims at various levels, details of the members at FRC, SDLC, DLC and the state monitoring committee for the FRA.



7. Tribal leaders will continue to facilitate more applications from the tribal communities in



ensuring that as many tribals whose life and livelihood depend on the forests in the state get entitlements to the land.

8. The tribal leaders also resolved that they will bring as many young people and women into the decision making process as it is the women who are primarily affected due to restrictions in forest use.

9. The tribal leaders also agreed and resolved to create district wise awareness plans and programmes that will ensure better understanding and more clarity among the departments involved, viz., tribal welfare, forest and revenue apart from the tribal groups themselves.

10. The NGOs facilitating the process also agreed to create a joint secretariat in Chennai that will help with advocacy efforts, enable knowledge sharing among the various groups and keep everyone updated on the FRA implementation status in the state.

11. It was also resolved to meet once in every three months to share information and monitor the progress

## Annexure 1 - Table 1 - Population 2011 censuses

S.No	District	Total Population	Scheduled Tribes			% to District Total
			Rural	Urban	Total	
1	Chennai	4646732	0	10061	10061	0.22
2	Kancheepuram	3998252	27057	14153	41210	1.03
3	Thiruvallur	3728104	35044	12199	47243	1.27
4	Cuddalore	2605914	9923	5779	15702	0.6
5	Villupuram	3458873	71370	3489	74859	2.16
6	Vellore	3936331	65015	7940	72955	1.85
7	Tiruvannamalai	2464875	86775	4179	90954	3.69
8	Salem	3482056	110233	9136	119369	3.43
9	Namakkal	1726601	55326	1733	57059	3.3
10	Dharmapuri	1506843	60385	2659	63044	4.18
11	Krishnagiri	1879809	21041	1347	22388	1.19
12	Erode	2251744	20025	1855	21880	0.97
13	Coimbatore	2458045	19622	8720	28342	1.15
14	Thiruppur	2479052	2650	2808	5458	0.22
15	The Nilgiris	735394	22752	10061	32813	4.46
16	Tiruchirappalli	2722290	13784	4414	18198	0.67

17	Karur	1064493	191	384	575	0.05
18	Perambalur	565223	2156	428	2584	0.46
19	Ariyalur	754894	9946	776	10722	1.42
20	Pudukkottai	1618345	835	448	1283	0.08
21	Thanjavur	2405890	1340	2221	3561	0.15
22	Nagapattinam	1616450	2210	1546	3756	0.23
23	Thiruvarur	1264277	939	2095	3034	0.24
24	Madurai	3038252	4866	6230	11096	0.37
25	Theni	1245899	1377	458	1835	0.15
26	Dindigul	2159775	4521	3543	8064	0.37
27	Ramanathapuram	1353445	501	604	1105	0.08
28	Virudhunagar	1942288	1078	1216	2294	0.12
29	Sivaganga	1339101	491	299	790	0.06
30	Tirunelveli	3077233	3822	6448	10270	0.33
31	Thoothukkudi	1750176	1264	3647	4911	0.28
32	Kanniyakumari	1870374	3741	1808	7282	
	State	72147030	660280	134417		

**Table 2 - Tribe population details Census 2011**

<b>ST Name</b>	<b>Total/ Rural/ Urban</b>	<b>Number of households with at least one ST member</b>	<b>Total Population(including institutional and houseless population) - Persons</b>	<b>Population of tribes as percentage to total</b>
All Schedule Tribes	Total	204916	794697	
Adiyan	Total	949	4426	0.6
Aranadan	Total	83	138	0.017365109
Eravallan	Total	850	2871	0.4
Irular	Total	48827	189661	23.9
Kadar	Total	220	650	0.08179218
Kammara (excluding Kanyakumari district and Shenkottah taluk of Tirunelveli district)c	Total	382	1052	0.132377497
Kanikaran, Kanikkar (in Kanyakumari district and Shenkottah and Ambasamudram taluks of Tirunelveli district)e	Total	1054	3837	0.5
Kaniyan, Kanyan	Total	569	2137	0.3
Kattunayakan	Total	11442	46672	5.9
Kochu Velan	Total	2	7	0.000880839
Konda Kapus	Total	139	521	0.065559578
Kondareddis	Total	2850	9847	1.2
Koraga	Total	27	101	0.012709246
Kota (excluding Kanyakumari district and Shenkottah taluk of Tirunelveli district)c	Total	102	308	0.03875691
Kudiya, Melakudi	Total	26	66	0.008305052
Kurichchan	Total	1576	6100	0.8
Kurumbas (in the Nilgiris district)b	Total	1875	6823	0.86
Kurumans	Total	8299	30965	3.90
Maha Malasar	Total	21	77	0.009689227
Malai Arayan	Total	55	172	0.021643469
Malai Pandaram	Total	439	1439	0.181075303
Malai Vedan	Total	1946	7215	0.91

Malakkuravan	Total	4788	19645	2.47
Malasar	Total	1911	6431	0.81
Malayali (in Dharmapuri, North Arcot, Pudukottai, Salem, South Arcot and Tiruchirapalli districts)d	Total	89225	357980	45.05
Malayekandi	Total	185	210	0.026425166
Mannan	Total	67	211	0.026551
Mudugar, Muduvan	Total	387	1250	0.157292654
Muthuvan	Total	124	390	0.049075308
Palleyan	Total	101	231	0.029067682
Palliyan	Total	809	2252	0.28
Palliyar	Total	1517	5288	0.67
Paniyan	Total	2490	10134	1.28
Sholaga	Total	1519	5965	0.75
Toda (excluding Kanyakumari district and Shenkottah taluk of Tirunelveli district)c	Total	538	2002	0.25
Uraly	Total	3504	12986	1.63

**Table 3 Gross Enrollment ratio in Higher Education Tamil Nadu<sup>13</sup>**

<b>Category</b>	<b>ST</b>			<b>SC</b>			<b>All</b>		
<b>Sex</b>	<b>Female</b>	<b>Male</b>	<b>Both</b>	<b>Female</b>	<b>Male</b>	<b>Both</b>	<b>Female</b>	<b>Male</b>	<b>Both</b>
2015-16	27.3	36.4	31.8	34.2	34.6	34.4	42.4	46.3	44.3
2014-15	25.8	39.1	32.3	33.1	33.3	33.2	43.4	47.0	45.2
2013-14	21.7	35.5	28.4	30.1	32.0	31.0	40.4	45.6	43.0
2012-13	21.1	34.4	27.6	28.6	31.4	30.0	38.7	45.4	42.0
2011-12	29.1	36.1	32.5	26.7	30.3	28.5	36.8	43.2	40.0
2010-11	17.5	30.6	23.7	19.9	23.4	21.7	29.1	36.5	32.9

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<sup>13</sup> AISHE report 2015-16

**Table 4: Unemployment Status Among Scheduled Castes And Scheduled Tribes 2013 -2014<sup>14</sup>**

<b>Total</b>	<b>Female</b>	<b>Male</b>	<b>Categories</b>
2003347	981749	1021598	Schedule Castes
49049	21364	27685	Scheduled Tribes
2052396	1003113	1049283	Total

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<sup>14</sup> *Source: Director of Employment & Training, Chennai-32*



**Table 5 FRA Claim Status<sup>15</sup>**

S.No	Districts	Acres	IFR As per policy note 2016-17	AS on 31.3.2017	Acres
1	Villupuram	415	206	206	415.85
2	Salem	0	0	80	165.12
3	Nilgri	0	0	505	573.30
4	Kanyakumari	427	150	150	427.90
5	Nammakal	201	159	159	201.25
6	Dharmapuri	395	273	273	395.52
7	Tirunelveli	223	93	93	223.46
8	Tiruvannamalai	123	36	36	123.37
9	Theni	33	37	37	33.42
10	Virudhunagar	8	23	23	8.62
11	Coimbatore	224	88	88	224
12	Erode	251	265	901	961.88
	<b>Total</b>	<b>2300</b>	<b>1417</b>	<b>2551</b>	<b>3754.55</b>

<sup>15</sup> Data shared by the Directorate

**Table 6 Information Obtained through RTI as on 10th of Oct 2016**

District	Village Union	Panchayat	Hamlet	No of Claims	Approved	In process	Rejected	Arces	Remarks
Nilgiris	Thuneri	Eppanadu	Anaikati	141					
	Melur	Ulikal	Senkal Pudhur	18					
	THuneri	Kuukal	siriyur	59					
	Melur	Kadanadu	Sokkanalli	50					
Thirunelveli	Ambasamudhram	Vikramasingapuram	Sina Minor, Peria Minor	280	93	187		90.43	
CBE				1523	264		34		
				765					
Kanyakumari	Nagarkoil	Thadikaran	Thadikaran Keranam	71	76				
	Padmanabapuram	Surulakadu	Surulakadu	29	0	29	0		
		Pechiparai	Pechiparai	772	82	690			
		Ponmanai		160		160			
Dharmapuri	Dharmapuri, Ponnakaram, Papireddipati,	Palakodu, Arur,		848	273		575	132 Hectres	339 claims rejected at GS level, and 66 at SDP
Salem				0					No information available.
				4716					

**Table 7 Agriculture Census Data**

AGRICULTURAL CENSUS , 2010-11							
TABLE : NUMBER AND AREA OF HOLDING BY SIZE CLASS							
STATE : TAMIL NADU		SIZE CLASS : ALL CLASSES			SOCIAL GROUP : SCHEDULED TRIBES		
Gender : TOTAL		NUMBER IN ABSOLUTE UNITS			AREA IN ABSOLUTE HECTARES		
Sl.No.	District	Individual Holdings		Joint Holdings		Total Holdings	
		Number	Area	Number	Area	Number	Area
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	KANCHEEPURAM	184	127	1	1	185	127
2	TIRUVALLUR	292	201	8	4	300	205
3	VELLORE	6817	8684	0	0	6817	8684
4	TIRUVANNAMALAI	11508	10196	1	1	11509	10197
5	VILLUPURAM	9580	10524	0	0	9580	10524
6	CUDDALORE	239	127	0	0	239	127
7	THANJAVUR	29	30	0	0	29	30
8	NAGAPATINAM	0	0	0	0	0	0
9	THIRUVARUR	5	5	0	0	5	5
10	SALEM	18997	19510	0	0	18997	19510
11	NAMAKKAL	10805	11604	0	0	10805	11604

12	DHARMAPURI	7946	5554	0	0	7946	5554
13	ERODE	1143	1389	0	0	1143	1389
14	COIMBATORE	511	562	0	0	511	562
15	THE NILGRIS	2990	2305	0	0	2990	2305
16	TIRUCHIRAPALLI	2424	3069	0	0	2424	3069
17	KARUR	0	0	0	0	0	0
18	PERAMBALUR	229	374	0	0	229	374
19	PUDUKKOTTAI	35	12	0	0	35	12
20	RAMANATHAPURAM	0	0	0	0	0	0
21	SIVAGANGAI	0	0	0	0	0	0
22	DINDIGUL	26	16	0	0	26	16
23	THENI	31	27	0	0	31	27
24	MADURAI	0	0	0	0	0	0
25	VIRUDHUNAGAR	0	0	0	0	0	0
26	THOOTHUKUDI	0	0	0	0	0	0
27	TIRUNELVELI	15	7	0	0	15	7
28	KANNYAKUMARI	37	3	0	0	37	3
29	KRISHNAGIRI	270	204	0	0	270	204

30	ARIYALUR	255	110	22	30	277	140
31	TIRUPPUR	14	8	0	0	14	8
	State	74382	74648	32	35	74414	74684

**Table 8: All Districts Projection<sup>16</sup>**

Sl No	Level	Name	Forest Area KM2	Forest area in Ha	TOT_WORK_P_rural ST	Main Cultiva tor and Marginal Cultiva tors	Main and Marginal agricult ure labour\	Individu al Land holding as 2010-11 Agri Census	Acre	No of Cultivat ors who don't have land	No of workes who don't have land	% of workes who don't have land
1	DISTRICT	Ariyalur	330	81510	5303	548	3931	277	140	271	5026	94.777
2	DISTRICT	Chennai	11	2717	0	0	0	0	0	0	0	#DIV/0!
3	Hill District	Coimba tore	1,860	459420	11920	758	7276	511	562	247	11409	95.713
4	DISTRICT	Cuddalo re	434	107198	5176	178	3665	239	127	-61	4937	95.383
5	Tribal District	Dharma puri	3,028	747916	33473	11910	16323	7946	5554	3964	25527	76.261
6	Tribal District	Erode	2,210	545870	12400	2004	9134	1143	1389	861	11257	90.782
7	DISTRICT	Kanche puram		0	13326	469	6256	185	127	284	13141	98.612
8	DISTRICT	Krishna giri		351481	11063	3552	5389	270	204	3282	10793	97.559
9	Hill District	Madurai	602	148694	2609	81	1457	0	0	81	2609	100.000
10	Tribal District	Namakk al	564	139308	34946	20552	11326	10805	11604	9747	24141	69.081
11	Tribal District	Salem	1,235	305045	67716	27013	26758	18997	19510	8016	48719	71.946
12	Hill District	The Nilgiris	2,087	515489	12438	679	4200	2990	2305	-2311	9448	75.961
13	DISTRICT	Thirual lur	228	56316	14578	22757	18554	300	205	22457	14278	97.942

<sup>16</sup> Census 2011

14	Tribal District	Tiruchirappalli	426	105222	8048	5241	2102	2424	3069	2817	5624	69.881
15	Hill District	Tirunelveli	1,232	304304	1740	95	359	15	7	80	1725	99.138
16	Tribal District	Tiruvannamalai	1,369	338143	49916	15454	26222	11509	10197	3945	38407	76.943
17	DISTRICT	Vellore	1,744	430768	33403	8678	16399	6817	8684	1861	26586	79.592
18	DISTRICT	Viluppuram	983	242801	41213	11734	24812	9580	10524	2154	31633	76.755
		Total		4800692	359268	131703	184163	74008	74208	57695	285260	79.400

**Table 9 –ITDP Areas- Ministry of Tribal Welfare**

Sl No	Level	Name	No of Villages	No of Takuls	Forest area in Ha IN THE itdp BLOCKS	ST Population in ITDP	Household (Avaerage of4/family)	Average Land available per HH (in HA)
1	Tribal District	Dharmapuri	41	2	15756	25779	6445	2.444781
2	Tribal District	Namakkal	16	2	28293	38708	9677	2.923737
3	Tribal District	Salem	110	5	58481	67934	16984	3.443401
4	Tribal District	Tiruchirappalli	5	1	12891	10383	2596	4.966195
5	Tribal District	Tiruvannamalai	44	2	18520	51766	12942	1.431055
6	DISTRICT	Vellore	16	3	13719	39068	9767	1.404628
7	DISTRICT	Viluppuram	50	1	54663	45849	11462	4.768959
		Total	282	16	202323	279487	69872	2.895634



**Table 10: Claims Status-**

Sl.No	District	Total Claims Received at GSL			No of Claims Received at GSL				No of Claims Received at SDLC				No of Claims Received at DLC				Total Claims Ready for Distribution				In Process
		IR	CR	Total	Accepted		Rejected		Accepted		Rejected		Accepted		Rejected		IR	CR	area	Total	
					IR	CR	IR	CR	IR	CR	IR	CR	IR	CR							
1	Coimbatore	98	0	98	98	0	0	0	98	0	0	0	98	0	0	0	88	0	224.86	88	10
2	Dindigul	6	840	846	0	392	0	448	0	228	0	164	0	218	0	10	0	0	0	6	
3	Dharmapuri	343	63	4367	290	63	0	0	290	63	0	0	290	63	0	0	273	0	395.52	73	70
4	Erode	647	749	1396	647	749	0	0	647	749	0	0	647	749	0	0	901	0	961.88	11	-254
5	Krishnagiri	583	39	622	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	583
6	Kanniyakumari	2070	0	2070	1621	0	11	0	1621	0	0	0	153	0	0	0	150	0	427.9	50	1909
7	Namakkal	2723	0	2723	1948	0	738	0	159	0	0	0	159	0	0	0	159	0	201.25	59	1826
8	Nilgiris	1579	419	1998	675	81	0	0	505	0	0	0	505	0	0	0	505	0	573.3	54	1074
9	Salem	137	0	137	72	0	65	0	72	0	0	0	72	0	0	0	80	0	165.12	80	-8
10	Trichy	270	0	270	270	0	0	0	0	0	270	0	0	0	0	0	0	0	0	0	-270
11	Tirunelveli	280	4	284	93	0	0	0	93	0	0	0	93	0	0	0	93	0	223.47	93	187
12	Theni	37	280	317	37	280	0	0	37	280	0	0	37	280	0	0	37	0	33.42	37	0

13	Tiruvannamalai	4584	1	4585	119	1	4465	0	36	0	0	0	36	0	0	0	36	0	123.37	36	83
14	Villuppuram	8828	104	8932	1050	104	0	0	1050	104	0	0	1050	104	0	0	206	0	415	6	8622
15	Vellore	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16	Virudhunagar	23	0	23	23	0	0	0	23	0	0	0	23	0	0	0	23	0	8.62	23	0
	Total\	22208	2499	28668	6943	1670	5279	448	4631	1424	270	164	3163	640	2735	3	2551	0	3753.71	25	13838
	Percentage of approvals				31.26351		43.1926		66.70027		5.5091		68.301		7.86		11.48685				
	Total claim processed				12222				4901				3433				5819				5819

## Annexure 2: Districts Reports Visits

For the purpose of the research we visited 5 districts Jawadu Hills, Yercaud, Kolli hills, Dharmapuri, Krishnagiri. Kodaikanal and Nilgiris

### Thiruvanamalai & Vellore : Jawadu hills , IDTP District:

Sl No	Level	Name	No of Villages	No of Takuls	Forest area in Ha IN THE itdp BLOCKS	ST Population in ITDP	Household (Average of 4/family)	Average Land available per HH (in HA)
5	Tribal District	Tiruvannamalai	44	2	18520	51766	12942	1.431055

People met: Mr Venkatesan and team, from TAAK. Tamil Nadu Adhivasakal Amaipukalin Kutamaipu\

### Potential Data

Level	Name	Forest Area KM <sup>2</sup>	Forest area in Ha	TOT_WO RK_P <sup>®</sup>	Main Cultivator and Marginal Cultivators	Main and Marginal agriculture labour \	Individual Land holding as 2010-11 Agri Censuses	Acres	No of Cultivators who don't have land	No of workers who don't have land	% of workers who don't have land	Categories
Tribal District	Tiruvannamalai	1,369	338143	49916	15454	26222	11509	10197	3945	38407	76.943	High Potential

### Tribe: Malayali Koundar

1. Panchayats, FRC formed at village panchayats
2. TAAK, Tamil Nadu Adivasi Amaipukalin Kootamaippu has been working on filing IFR claims since 2008. More than 2000 claims have been made.
3. 37 IFR is likely to issued, No CFR.
4. Limited awareness of CFR
5. There is long standing demand to convert Javadu into taluka. This they believe will expedite the process.
6. Forest and the NGO had conflicts in the past. As recently the villagers have been booked for destroying saplings
7. The tribal movement is active and have continuously work for the forest rights. We met villagers who participated in the movement.

### Salem Yercaud hills , Pachamalai, Athur and Kalrayan Hills

SI No	Level	Name	No of Villages	No of Takuls	Forest area in Ha IN THE itdp BLOCKS	sST Population in ITDP	Household (Avaerage of4/family)	Average Land available per HH (in HA)
3	Tribal District	Salem	110	5	58481	67934	16984	3.443401

Level	Name	Forest Area KM2	Forest area in Ha	TOT_WORK_P <sup>®</sup>	Main Cultivator and Marginal Cultivators	Main and Marginal agriculture labour\	Individual Land holding as 2010-11 Agri Census	Acre	No of Cultivators who don't have land	No of workes who don't have land	% of workes who don't have land	Categori es
Tribal District Malayali Tribes	Salem	1,235	305045	67716	27013	26758	18997	19510	8016	48719	71.946	High Potential

### **Nagalur Panchayat**

**People Met:Chendran, Sundrarajan – Thalur FRC President, Palani – FRC secretary**

**Out of 9 panchayat 14 FRC formed**

**Intitation of Plankudiynar makkal kootamaippu formed committess at all level to monitor to claim IR CR cloaims**

1. Yercaud has 9 Panchayats, all panchayats have FRC.
2. Most the villages have revenue land
3. 300 acres of forest land is claimed under CFR.
4. The Tribal movement is active and they have their own structure. All FRC are coordinated at district level and at the state level.

SI No	Level	Name	No of Villages	No of Takuls	Forest area in Ha IN THE itdp BLOCKS	sST Population in ITDP	Household (Avaerage of4/family)	Average Land available per HH (in HA)
2	Tribal District	Namakkal	16	2	28293	38708	9677	2.923737

### Nammakkal Kolli Hills

Level	Name	Forest Area KM2	Forest area in Ha	TOT_WORK_P*	Main Cultivator and Marginal Cultivators	Main and Marginal Agriculture labour\	Individual Land holding as 2010-11 Agri Census	Acre	No of Cultivators who don't have land	No of workes who don't have land	% of workes who don't have land	Categories
Tribal District Malayali Tribes	Namakkal	564	139308	34946	20552	11326	10805	11604	9747	24141	69.081	High Potential

### Valapur Nadu

#### Thinnanur

**People Met: Ramasamy, Secretary and team , TAAK, Karunanidhi and Amitabh Bachhan, TNPFR**

1. Highly urbanised region
2. According the NGOs more than 4000 claims have been submitted since 2009. But the panchayats have either lost or unaware of these claims. Re-submitting the claims have began in some villages
3. About 152 claims are ready to be settled from two village panchayats. In some panchayat FRC is formed in every hamlet
4. Tribal movement is strong, they were the early movement to campaign for this with the help of an NGO VRDP. It has campaigned for the FRA and also against some of the hydro projects.
5. Political interference has delayed the process. Clear multiple power centres, wanting to claim credit for the work
6. Because of the non-functioning of Gram sabhas, further work has delayed.

## Dharmapuri

SI No	Level	Name	No of Villages	No of Takuls	Forest area in Ha IN THE itdp BLOCKS	sST Population in ITDP	Household (Average of 4/family)	Average Land available per HH (in HA)
1	Tribal District	Dharmapuri	41	2	15756	25779	6445	2.444781

### Sitteri hills in Dharmapuri

Level	Name	Forest Area KM2	Forest area in Ha	TOT_WORK_P®	Main Cultivator and Marginal Cultivators	Main and Marginal agriculture labour\	Individual Land holding as 2010-11 Agri Census	Acre	No of Cultivators who don't have land	No of workers who don't have land	% of workers who don't have land	Categories
Tribal District	Dharmapuri	3,028	747916	33473	11910	16323	7946	5554	3964	25527	76.261	Vulnerable

1. The study team visited three villages namely a. Notcikottai (15 families) and b. Paravalizu ( 63 families ) c.Tholithukki (200 families)
2. Entire Sitteri hills are falls under rural panchayat and it has 66 hamlets.
3. Mostly the tribals are cultivating Samai and some are cultivating Ragi – millet
4. 239 claims are ready to settle in sitteri hills panchayat
5. FRC is formed at the panchayat level.
6. The hamlets we visited are unaware of FRA as well as the claim applications.

## Krishnagiri

### Anchetty hill in Krishnagiri district

Level	Name	Forest Area KM2	Forest area in Ha	TOT_WOR K_P <sup>®</sup>	Main Cultivator and Marginal Cultivators	Main and Marginal agriculture labour\	Individual Land holding as 2010-11 Agri Census	Acre	No of Cultivators who don't have land	No of workers who don't have land	% of workers who don't have land	Categories
DISTRICT	Krishnagiri		351481	11063	3552	5389	270	204	3282	10793	97.559	Vulnerable

1. During last forty years the village Sivalingapuram colony was displaced four times by the forest department. The village Thalavadi patti was the first village where the families were living has a temple of their own and people were not allowed to visit their temple.
2. 30 years back Sivalingapuram families were cultivating samai and Ragi in 60 acres of forest land which they have demarcation of their boundaries.
3. The community also collecting forest resources like honey, tamarind and other forest resources and they also pay penalty to the forest officials for collecting it.
4. The dominant community in this hill area are the Vanniers, cultivating in revenue lands and a non tribal community.



## Kodaikanal

### Nilgiri District:

**Nilgiri is special district as all the PVTGs are in this district. Totally 1500 claims have been filed.**

Level	Name	Forest Area KM2	Forest area in Ha	TOT_WOR K_P <sup>®</sup>	Main Cultivator and Marginal Cultivators	Main and Marginal agriculture labour\	Individual Land holding as 2010-11 Agri Census	Acre	No of Cultivators who don't have land	No of workers who don't have land	% of workers who don't have land	Categories
Hill District	The Nilgiris	2,087	515489	12438	679	4200	2990	2305	-2311	9448	75.961	Vulnerable

Vazhathoppu and Masanakudi Colony: Irular Tribe. FRC in the village was formed in 2009-10. Both men and women are active as FRC members. Women play an important role as a gatherer in protecting the forest resource.

Still members need to understand the process of claims.

There is a conflict in the FRC and two FRCs are formed.

The villagers have traditionally farmed and used forest over five hundred acres. However forest department has erected fence to protect the villages from wildlife for 300 acres. The village has lost its right for 200 acre in which they cultivated.

Claims Submitted by Keystone

Anaikatti: 140

Siriyur: 59

Chokavalli: 53

Vazhathoppu: 74

Boothanatham: 25

Masanagudi: 62

Achakarai: 30

Merandu: 72  
Kurumpaddi: 45  
Sennatham: 42

**Gudalur: Village name Manvayal: Tribe: Paliyar Met Mr Suresh and his team from ACCORD**

- a.
- b. The villages are inside the sanctuary. Some of the villages inside the sanctuaries have not even received electricity.
- c. Land holding among them are negligible. They are still fighting land rights under section 17.
- d. They have filed about 1497 claims in gudualur

Kenkarai Panchayat and Arakodu Panchayat

Kothagiri: Visited 2 villages inhabited by Irula and Kurumba tribe. FRC in both the villages. Active participation of women in FRC was encouraging. They have filed 62 claims in the

- e. Influence of non tribals in the FRC, claims were expressed by the community In some villages tension exist within the tribal community
- f. Villages are in the reserved forest area
- g. There is also palpable tension in some places because of the time taken for settlement. Some of the members are not yet sure if they will ever get.
- h. Confusion over the role of FRC and VFC.
- i. We have heard in some villages VAO is filling up the form, and VAO has taken only the resident land for IFR

RTI submitted by VRDP & TAAK illustrates wide gaps in reporting among the districts. Salem which has highest number of the tribal population has responded to RTI query by writing they can't create information when there is nothing. In districts like Dindigul and Nilgiris, CR is claimed. No information known about the kind of awareness programme done by the department. Wherever the awareness creation took place, it was done it was through the NGOs.

