



FOREST RIGHTS AND ITS IMPACT ON TRIBAL PEOPLE IN GOA

VIJAY M. GAWAS

(B. Com, LLM, NET, M.A)

Asst. Professor-cum-Asst. Director,
UGC Centre for the Study of Social Exclusion and Inclusive Policy,
Goa University, Taleigao Plateau,
GOA – 403206 INDIA

ABSTRACT

Beneficial act was to recognize the rights of Scheduled Tribes and other traditional Forest Dwellers, who were inhabited in forest area from many Generations. According to some act it was also specified the procedure to verifying and recording of the rights of members of the Scheduled Tribes on forest land in Goa. Since, pre and post liberation of Goa as a resulting of historical injustice of these communities like Gawda, Kunbi and velip were rendering them as encroachers. This Act also seeks to title to land and homesteads to residents of forest villages and other old habitations on forest land. The paper also discusses the implementation of act, Protection of forest rights and livelihood of the Tribal peoples. It also analysis and review some acts how it is useful and beneficial to lead the inclusive framework to bringing tribal communities into mainstream. The Secondary data is based on books, journals, and newspaper, and folklore. The data collected from Tribal organisation, Tribal Welfare Department of Goa, Goa State Scheduled Tribe and Scheduled Cast Commission and other concerned Department of Goa is also used here.

Keyword: - Tribal Forest Rights, Access, Tribal Life, Act,

INTRODUCTION

The Scheduled Tribes of Gawda, Kunbi, and Velip are pre-existence in Goa. The rights to manage their own affairs, to appropriate forest resources and to redress disputes had all along been the customary rights of the Scheduled Tribes in Goa. Despite, the Indian Constitution under Article 244 to provide for bringing the tribal peoples' villages under Schedule V areas which are ruled by Self-Governing institutions are Neglected. Hence, the Self-Rule has

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remained the distance goal and demand of tribal peoples is still unfulfilled in the State of Goa.

The Scheduled Tribes Gawda, Kunbi & Velip, Who are the original inhabitants of Goa, and most of the areas are now come under the Parks and other protected areas. At the same time, however, most of the tribal peoples have own doubts and apprehensions. The doubt is valid because the management of Protected Areas and Parks and for that matter any forest in state, the Governments had only sought to wipe out completely or push out of inhabitants, the tribal's.

Despite, the several provisions made under the International Laws and even the Indian Forest Policy of 1988 is turned in accordance with it, the role of the indigenous people in conservation and sustenance of forests, the government's has been practicing a policy of "Nature without People"¹. The Eviction and displacement had been in reality faced by the Scheduled Tribes who are living in forest area. In Goa, the Scheduled Tribes have no control over their natural resources and forest land. The State remains the predominant factor in the regional forests, but the trend towards increased and not legally recognized Scheduled Tribes control over the forest land.

According to the report of the FSI, total forest area in Goa is 33.66%, reserved forest 20.67% Protected forests area 69.04% and un-classed forest 10.29% of the total forest area². There are no exact figures for total area increasing in the state with significant forest cover either maintained or increased their forested areas.

In Pre-independence of India there were many law's in force, Such as the "Forest Act 1878, which classified forests into three categories: Reserve, Protected and thirdly Village forests which was available only in a small portion³i.e.the village forests to the Scheduled Tribes. The National Forest Policy 1894 declared the forests on the slope of the hills as protected ultimately led to the process of shrinking Scheduled Tribes access to minor forest produce. Thereafter, the Establishment of industrial projects, felling trees to supply timber for laying railway tracks, building towns and collecting raw material for industries gave birth to a process of deforestation, and therefore reduction in the forest mend for the tribal's resulting in their empowerment. The forestry policy during pre and post-independent India include the Indian Forest Act 1927, and the Government of India Act 1935, consolidated the power of the Government on forest, emphasized on the revenue yield aspects and resource requirement of British industry, commerce, and military sectors⁴. As a result, the forest as an area of revenue yielding was included in the state list of the Indian constitution.



The National Forest Policy Act, 1952 is based on Commercial exploitation of forest for industrial development. The National Commission on Agriculture (NCA), 1976 provides for Conservation of forest through powerful legislations such as Wildlife Forest Conservation Act & Forest Conservation Act. The Wildlife Protection Act 1972, and Forest Conservation Act 1980, has not provided place for forest dwellers and tribal's in the process of protection and management of local forest resources. Finally, National Forest Policy 1988 based on three major components, Emphasizes on participation of forest dwellers, increasing access to forest products Enhancing livelihoods etc.

After nearly 25 years of debate and grass-root level protests, this process culminated in the enactment of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006⁵. This legislation, known as the Forest Right Act, is a landmark in the evolution of the government's attitudes on tribal people and their rights. After the liberation of Goa has unleashed a situation, because more Scheduled Tribes are being displaced from their localities and traditional ways of life and resulted in an unsecure livelihood for the Tribal communities in the hilly areas and Tribal belts in Goa. There was adequate no amount of compensation paid on for the loss of the natural habitat and the cultural milieu of the Tribal People.

The process can be characterized as a process of disentanglement whereby the Tribal are gradually denied access to the support system of their livelihood. It mean's loss of rights enjoyed earlier by the indigenous community over the forest and land resources around them down to Earth in the states. The forested area has face severe threats from the heavy mining activities. Simultaneously, forest loss would also mean the loss of habitat for the region's wildlife.

In post liberation of Goa, the state have wrongfully occupied land, cultivation and made an encroachment began on Tribal land and instead they were establish their own legal control over the land. In addition, some portion of land belongs to tribal peoples were wrongfully shown belong to forest department where more Tribal population was existing. Hence, it also proves that the tribal peoples were cultivating the crop on their own Kumeri land in forest area for many generations, and same tribal land was used for the industrial, commercial or other purpose etc.

When Government of India promulgation of the Wild Life Protection Act, 1972 and Forest Conservation Act, 1980 was enacted the threat of forceful eviction of the endogenous was large loomed and many tribal peoples faced the threat of eviction. In past many decades, large number of tribal peoples are already been evicted near Sanctuary Park in the Cotigao



area and mostly the Tribal peoples' struggles in the Protected Areas of Cancona, Quepem, Sanguem taluka etc. is underway.

Throughout the history, tribal peoples had fought for their own rights, and now they are demanding much more than 'benefits on their Right over forests. That, there is an urgent need to implement the tribal forest act, 2006 in a State for the purpose of protection of the nature. Today, most of the tribal peoples talk about extending 'benefits' to cover-up for several denials, several costs borne by them. Firstly, the indigenous people have been robbed of their traditional/customary rights to land and territories. Secondly, they have been robbed of their historical role in conservation of nature.

These two fundamental denials have by now turned the Tribal peoples in some taluka of Goa into victims rather than beneficiaries of the Protected Area management system and the forest management system in general. The Tribal People are part of the forest ecology playing a vital role in the flourishing or depletion of their ecosystem. It may also be observed that tribal peoples were amidst close intimacy with the forest worshipping in natural object consuming forest produces and leading a life in harmony with nature. In the past the state government policy and the content of contracts are not inflows into the Tribal area like Sanguem, Quepem, and Canacona in South Goa. This has created a lot of changes in the ecosystem of the forest. It is brief description to know the position of the social and economic life of the Tribal people who are inhabitants in the forest area.

There are two important factors firstly, the state governmental schemes that aim to help the subsistence of the Tribal groups and at the same time to restore the forest land to the Tribal people. These programmes provide for the secondary income of the Tribal people but in actual situation the governmental schemes either are not implemented or do not reach to the tribal community in right way. Secondly, the forest resources are to be protected and utilized properly so that sustainable development could be anticipated. Their life is so much entertained with nature that they made best use of herbs and roots for medicinal purpose. The medicinal value of the forest produce was known to them and hence, they never corrected any other system than their own traditional practices. The worth of tribal herbal medicine should be provided to them as there is tremendous value of herbal medicine in the world. Historically, the tribal's were more attached to immovable property the nature surrounding them, and now the non-tribal people, State Government, forest department and private businessman has evicted them from their own immovable property.

The whole scenario of the Tribal life is undergoing a change of which tribal peoples are not happy against state policy. But the state governments implement various policy and scheme to uplift the tribal communities but these schemes are not successful or reached to tribal area,

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or to those who are living in the thick forest area in Goa. For availing such schemes the procedure to obtain the benefit is too complicate and tribal peoples cannot afford to get the benefits of these government schemes.

Environmental Conservation and Tribal people

The large section of the tribal peoples has been traditionally living in the forest and their life and work is intimately linked with the forest. The plunder of the forest department and the cutting down of trees has been one of the inexorable feature of capitalist development. The deprivation of access to the forest from Gawda, Kunbi and Velip community by the state, which has lead to tribal peoples not getting nutritious food. Which is their traditional diet and the sundering (break into part) of their traditional way of life with all its social and cultural consequences' The restoration of tribal access to forests and homeland is an important issue in a state which is presently fought. Further, the minor forest produce provides livelihood for the tribal peoples and its must be own. The state government has not taken any initiative or adopted any step to protect the Indigenous knowledge of their plants and areas.

With unplanned and unscientific development adversely affecting nature, urgent steps need to be taken to reverse this trend. The Scheduled Tribes of Goa like the Gawda, Kunbi, Velip and Dhangar-gouly play an important role in conserving nature'. All these four tribal communities heavily depend on biodiversity for survival which makes them very sensitive to their local environment, making conservation a way of life. The Gawda, Kunabi, Velips and other Non-tribal communities are forest dwellers, and one of their prominent deities Paik' is considered to be the protector of forests and many of his shrines are located inside rich forest areas. Inside the Netravali Wildlife Sanctuary, there is a village named Verle, where the Velip community has guarded one of the biggest sacred groves of Goa through religious traditions.

According to one of the villager there are two sacred groves, Nasachi Pann and Paikachi Pann. The perennial springs, medicinal plants, honey, wax are gifts of these groves to us and through traditions which have protected them. The tradition is fading away and sacred groves are destroyed for building roads and temples. While collecting mushrooms from the termite mounds and tribal people always leave some mushrooms in each mound for them to re-grow. They never remove all the roots of a plant while collecting roots as their forefathers instilled the spirit of conservation in them.

The Forests also help to harvest water and worship of water has been at the heart of tribal culture but there were ancestors never polluted water bodies. They used to take utmost care to maintain a spring or a tank and that is why they created many taboos to protect them. As the



quality of human life is directly related to the ecological health of the area, the protection of natural ecosystems was given importance by the tribal's. Every folklorist, who is responsible for reviving the tradition of the Catholic Gawada tribes because old culture always encourage tribal's to work in agricultural fields, and they are toiling hard not only get a secure livelihood but peace of mind, since they are linked to Nature. Unfortunately, the bond which existed between man and nature is gradually losing its hold. The loss of biodiversity is actually a direct attack on human survival. The biodiversity is closely linked to tribal lives. And need to revive some of these traditions, by discarding unscientific ideas. However, the Dhangar-gouly, who is also among the other backward classes of Goa, is not included in the Scheduled Tribe list even though they still have maintained their tribal way of life.

In Goa there are many cases the tribal Communities face complicated problem related to the clear title ownership of kumeri on forest land has been pending in various Mamlatdars, Collectors or Civil Courts in Goa. Even they make a claim for cultivation of Kumeri land which they don't have any records of their ownership title of the Kumeri land to produce in Court and state unable to protected their rights and interest.

The tribal Community is traditionally practicing Cultivation and Occupations of forest land. The process of separating the tribal peoples from their own land originated in colonial times and when their right to ownership of the land and forest was not recognized. In earlier colonial time there was no law to protect the interest of Tribal Peoples on their own land in Goa, but after liberation of Goa the state had passed some acts or code which has proved ineffective. Such, acts or code was only benefited to political leader, businessman, and private persons, because large scale transfer of Tribal land has taken place by non- tribal peoples by way of manipulation and in a most fraudulent manner.

In Goa the tribal peoples are living in remote and forest areas for past many Generations. Their livelihood depends upon the forest produce as well as on agriculture. All this Tribal communities lived in highly hilly areas where the irrigation facilities are not available. Even after Independence the tribal peoples are not fully liberated because most of the areas which are inhabited by the Tribal community are neglected by the state. Though they are original inhabitants allow to coming under the protected areas.

The Various international convention and even the Indian forest policy of 1988 recognizing the vote of the Tribal people in conservation and sustenance of forest, the government is furthering promoting and protecting policy of 'nature without people. The tribal peoples are residing in the thick forest areas however, some parts of their areas are declared as the sanctuary park where they are living since time immemorial. The majority of tribal peoples were living in the forest, however most of them are depend on the forest but after



independence the government had planned systematically to pushing them out into the forest ring and occupied the land. Whereas several restrictions are placed on the tribal peoples who continue to live within the forest areas.

In South Goa district that is some of the taluka's the tribal peoples are declared as encroachers by forest department and they are not allowed to hunting, collection of livestock, Construction of house or renovate houses without the prior permission of the forest department. Thus, the forest department has totally banned tribal people for collection of minor forest produce like vegetable which would have improved their standard of living. Even they were not allowed to enter in the forest and constantly harassed by the forest department.

But under the UN scheme of the Biosphere Reserve, forests, the animals, the birds, the agriculture and the human being right to hear are being protected⁶. The State Government has adopted trick in the previous policy of systematically pushing out the tribal peoples to the forest rings. For many years the most of tribal families were living in forest areas and after independence the large numbers of tribal families were pushed out to locations 1-12 km from their original habitats. Those who were evicted and 'rehabilitated' did not get anything other than makeshift tents or huts to live because they were reduced to become 'coolies', manual servants, or virtual bonded labourers in their own estates.

There are several restrictions which are placed on tribal people who continued to live within the forests and seen to be labeled as encroachers. The forest department dugged Trenches dug in their fields and on their paths. But not allowed any kinds of rights of cultivation to tribal on their own land. In fact, the tribal communities' methods of cultivation are nature friendly but those are not allowed for cultivation of land. The forest department may not allow using chemical fertilizers or pesticides. Even Hunting, ritual hunting was banned, No livestock or dogs were allowed and also No wells could be dug. The houses could not be renovated. A total ban on collection of minor forest produce such as vegetables was imposed.

Sometime authorities of the forest department had been intentionally interacting with the indigenous people demanding to produce ownership title of land document or any other proof of evidence related to the land .In fact the tribal peoples had their possession of land for many generations as they are traditionally cultivating the crop. Under such circumstance to safeguard the rights of the tribal peoples to the natural resources on their lands including the rights to participate in management and conservation of those resources. The right to participate is a long way from the rights to decide by the present state from selecting management and conservation scheme which is to maintain the ecological integrity of tribal's

lands. Therefore, the State Government need to frames a Conceptual Policy for protecting the Natural resources and maintains the environmental stability in forest area.

Implementation of beneficial Act for Scheduled Tribes and other forest dweller in Goa.

The Scheduled Tribes (recognition of forest Rights) Act, 2006 is one main instrument for beneficial tribal peoples in Goa. It is interesting to understand of background of the Scheduled Tribes and other Traditional forest dweller (Recognition of forest Rights) Act, 2006, also called the forest rights Act⁷. It is important to need to understand the relationship between forests and tribal people living in the forest area and their dependence on forest produce for their livelihood and sustenance.

In other word, it is also required to understand the historical relationship between the forests and tribal people and other traditional forest dwelling communities'. In the state of Goa relatively there is vast population of indigenous people in India. According to Census 2011, the tribal population constitutes only 10.23% of total population.

The State of Goa has more than 33% of its geographic area under government forests (1224.38 sq.km.) of which about 62% has been brought under protected areas (PA) of Wildlife Sanctuaries and National Park. Since there is a substantial area under private forests and a large tract under cashew, mango, coconut, Plantations etc the total forest and tree cover constitute to 56.6% of the geographic area⁸. The Protection of wildlife is another important aspect through the provisions of Wildlife (Protection) Act 1972. There is one National Park and six Wildlife Sanctuaries in the State covering continuous belt of Western Ghat forests which are abundantly rich in flora and fauna. These forests have been well protected. Goa has one National Park and Six Wildlife Sanctuaries⁹.

The Following are the names of the Wildlife Parks/Sanctuaries: -

Sr.No	Name	Area (sq. km.)	Distance from Panaji (in km.)
1.	Mollem National Park	107.00	70
2.	Bhagwan Mahavir Wildlife Sanctuary	133.00	65
3.	Cotigao Wildlife Sanctuary	86.00	60
4.	Bondla Wildlife Sanctuary	8.00	52
5.	Dr. Salim Ali Bird Sanctuary	1.78	8
6.	Madvi Wildlife Sanctuary	208.48	50
7.	Netravali Wildlife Sanctuary	211.05	65



It is a matter of crucial importance, to prove beyond any doubt that tribal and forest dwelling communities live in harmony with nature; their traditional practice of using forest produce and natural resources is sustainable and also helps forest re-generation. The recorded forest area in the state is 1,224 km², which is 33.06 % of the geographical area. Of this, reserved forest constitutes 20, the second largest kumeri land use in Goa, covering about 42 sq km, or 22% of the total land base. These statistics are also very important, driving home the quantum of forest dependence in state. We have disaggregated data of tribal peoples and other forest dwellers dependent on forest for at least part of their livelihoods. The forest dwellers, including a high proportion of tribal's are among the poorest and most vulnerable groups in society.

Since after independent, the tribal people of Goa have faced persistent problem of land alienation, indebtedness, and government monopoly over non-timber forest produce, involuntary displacement due to development projects, and lack of proper rehabilitation after being displaced from their traditional forest dwellings. The Scheduled Tribes and other Traditional forest dweller (Recognition of forest Rights) Act, 2006¹⁰, was specified to maintain the record and recognize the rights of Scheduled Tribes and Forest Dwellers in forests. It also provide for a procedure for verifying and recording of the rights of members of the Scheduled Tribes on Forest land. As these rights were not verified, recognized or recorded during the consolidation of the forests and settlements during the colonial period. After, the Independent of India and liberation of Goa the indigenous communities' still face historical injustice and rendering them as encroachers in forest land.

These act also seeks to endowing title on holders of leases and pattas on forest land (and on that in possession of pre 1980 encroachments on forest land) and endowing title to land and homesteads to residents of forest villages and other old habitations on forest land. Due to state negligence for Non-implementation of forest right act, the tribal Communities were not allowed to forest produce in area which they are residing. The National Forest Policy of 1988 recognizes symbiotic relationship between forest and Tribal people. Yet, the tribal's have been systematically victimized under the Forest Act of 1927. When the Forest Conservation Act of 1980 came into force, hundreds and thousands of tribal people became encroachers overnight on the lands they had been living for Generations.

In Goa, the forests are home to thousands of people including many schedule tribes who live in or near the forest areas of the state¹¹. The Forests provide sustenance in the form of minor forest produce, water, grazing grounds and habitat for shifting cultivation. Moreover, vast areas of land that may or may not be forests are classified as "forest" under India's forest laws, and those cultivating these lands are technically cultivating "forest land. The reason for this latter phenomenon is India's forest laws because the India's forests are governed by two



main laws, Indian forest Act, 1927 and the wild life (protection) Act, 1972. The former empowers the government to declare any area to be a reserved forest, protected forest or village forest. In latter it also allows any area to be constituted as a "protected area", namely a national park, wildlife sanctuary, tiger reserve or community conservation area"¹² legislation on environment, forest and wildlife. Under these laws, the rights of people living in or depending on the area to be declared as a forest or protected area are to be "settled" by a "forest settlement officer." This basically requires that officer to enquire into the claims of people to land, minor forest produce, etc., and, in the case of claims found to be valid, to allow them to continue or to extinguish them by paying compensation. It's shown that in many areas this process either did not take place at all or took place in a highly faulty manner.

Thus majority of the forest land had been captured by forest department and state had not been settled till now. While all the hilly tracts area were declared government forests without any survey. All over the state of Goa the majority of forests are "deemed reserved forests" which is not been surveyed. Those whose rights are not recorded during the settlement process are susceptible to eviction at any time. This "legal twilight zone" leads to harassment, evictions, of forest dwellers by forest officials, who wield absolute authority over forest dwellers' livelihoods and daily lives¹³. The scheduled tribes and other traditional forest Dwellers (Recognition of forest Rights), Act, came into force in 2005, but popularly known as forest Dweller Act is expected to benefit forest dwellers across state and this act was passed by Parliament in December 2006. When this act was passed by Parliament in December 2006 has a tumultuous history with forest conservationists and tribal rights activists running high-pitched campaigns against each other¹⁴.

The act had to get nod from a Joint Parliamentary Committee and later a Group of Ministers before being passed. The cut-off date for deciding valid claims of tribal's who have been living in and depending on forests for their livelihood prior to 13 December 2005 or three generation prior to this date will have the right each would get ownership of up to four hectares.

The current statues of its implementation, and assess the extent to which right have been granted to forest dweller , it would be pertinent to have an overview of the law and policy as well as dominant thought processes in forest management, over the many years. It is a much delayed but right step in the right direction. It envisages recognition of customary rights of forest –inhabiting and forest –dependent Scheduled Tribes and Non- Scheduled Tribes communities long after legislation for the protection and conservation of wildlife, ecosystem and forest was put in place.



This act, gives legal right over forest land and other benefit to scheduled tribes and other traditional forest Dwellers. It means that only those tribal's have been residing in forest land for many generations, cultivating crop on kumeri land and collecting forest produce like firewood and fruits, should get legal right over forest land and other benefit. Under such circumstance this acts envisages sustainable use, conservation of biodiversity and maintenance of the ecological balance to strengthen the conservation regime of forests and ensure the livelihood and food Security of forest dwelling Scheduled tribes and other traditional forest dweller¹⁵. Whereas, the tribal peoples and other forest dwellers are living in forest and dependent on forest for their sustenance are not considered a hindrance in the conservation of biodiversity, maintenance of ecological balance and protection of wildlife. It also enumerates a process in the event of conflict of interest between livelihood needs and wildlife conservation.

While after the implementation of this Act, these tribal will have the legal right to own, collect, use and dispose of minor forest produce¹⁶. This is expected from the state to provide legal rights to those who face historical injustice done by state, businessman and dominate class against the forest-dwelling Scheduled Tribes.

The forest Rights act, and the implementation status to ensure optimum efficiency to ensure that laws, system and process do not function only because of the benevolence of the peoples implementing them but despite the apathy of implementation of such laws and institutions. The Ministry of Environment and forest, and the Ministry of Tribal Affairs constituted a joint committee in April 2010 to review implementation of the forest rights Act in India. The forest Right Act, implementation is done under the following heads. (i) Process and institutions, Individual forest Rights,(ii) Community forest Rights,(iii) Implementation of development projects,(iv) Implementation for special groups,(v) Protected areas and Critical wildlife habitats,(vi) Future Structure of forest governance,(vii) Enhancing livelihood through any source NTFP, (viii) Convergence of development programmers for Scheduled tribes and other traditional forest dwellers¹⁷.

According to this Act, only the Gram Panchayats have full power to call and verify for claims, which will be examined by forest rights Committee consisting of 10-15 members of the Gram Panchayat. At least one-third of these members will be Scheduled Tribe and one-third women. It includes initiation of claims, verification of claim, and the vesting of rights upon verification. Subsequently, the states should proactively facilitate individual forest rights and community forest rights claims, and the interested person needs to follow the procedure laid down, fill up the claim form and submit the same to the forest rights committee at the village level.



The state machinery will have to gear up to ensure that all document required to initiate a valid claim are provided to the intended beneficiary at his /her doorstep. The village level committee report acknowledge that some civil Society organizations, communities and officials have made innovative, proactive move towards helping peoples make claims and vesting them with their rights. It is conferring rights under this act and empowers most marginalized, impoverished, illiterate and vulnerable communities. It is also intended to empower tribal people and other forest dwellers to make aware of their rights and then properly guide, assist and help in initiating their claims. The government can use the state owned media and public relations department to spread awareness about the act.

The committee also need to note that forest records, maps and working plans are almost invariably not available to the forest right communities , and it ensure access to all these documents, so that claims can be filed and verified quickly and easily. It also clearly enumerate all documents needed to support the claims and the place or government functionary that will provide them with those document, whether they happen to be part of the official government records or records that the government has access to. They guide properly and it should spell out the procedure, step-by-step, leading to the claimant filing their Claim successfully with the forest right committee. Once a claim is initiated, and the process of its verification begins.

The gram sabha and forest right committee must acknowledge receipt of the claim so that it can be tracked later on. The data must be put up in a public space, and information relating to the processing of claims should be accessible like any other public record. As the gram sabha is empowered to verify the claim it must be competent to do so. The gram sabha or forest right committee should be extended all possible help by the state machinery. This should be made mandatory under the rules of the forest right Act. The gram sabha or forest right committee need access to historical records and data in the actual process of identifying forest land in relation to which an IFR or CFR that has been filed.

The major ground is dilution of the Act by declaring large tracts of forest land as critical habitat. Another is related to making the Gram Sabha unmanageable. According to the Act, the Gram Sabha plays a key role in determining who has rights to which forest resources. However, Rule 3(1) now defines the Gram Sabha as the Gram Sabha of the panchayat, which would include numerous actual villages. This will make democratic functioning impossible (as the number will simply be too large); further, in many areas forest dwellers will be the minority¹⁸. Once claims are verified, a resolution to this effect is passed and sent for approval to the sub-division level committee.



When Act was passed in 2007, there has the following basic point, because this Act has granted four types of rights: (a) Title rights (b) Use rights (c) Relief and development rights- (d) Right to protect forest¹⁹. The Process of Recognition of Rights of Scheduled tribes and other forest dweller under Section 6(1) of the forest right Act provides that the gram Sabha, or village assembly, will initially pass a resolution recommending whose rights to which resources should be recognized (i.e. which land belongs to whom, how much land was under the cultivation of each person as on Dec 13, 2005, etc²⁰.

Suggestion and Conclusion.

The duties and responsibilities of every tribal organization to conducted awareness programmers about the forest right in tribal area. Besides, it also needs to organize the Public Tribunal about the forest right in major dominated tribal area. Every stakeholder including officers, social activists, and advocates needs to participate and expressed their views about the problem face by in forest land issue by the tribal's people. There are many laws in existence in the state of Goa and Provisions relating to Forest Conservation Act 1980 , it empower state governments to take action and act and there are some cases of 'Reserved Forest' and 'Protected Areas.

Yet, the process of land Settlement of forest Rights has not been taken place in Goa. It already constituted the State level Committee, Sub- Divisional Committees, Taluka level committee and Village level committee in Goa. It also constituted committee for the purpose of critical Wildlife Habitat. The duties of state really need to think seriously about successful implementation and settlement of forest Right Act, and required to reach to the maximum tribal people and other traditional forest dwellers, who are in habituated for generation to generations in forest areas and enjoy their rights. It also ensures that every claim must be filed and the people affected are kept informed of its status at all time.

It also born responsibilities state to keep informs the claimants about the progress of the claims which they have filed. After verification has been successfully then the right must be vested and records of forest rights should be accessible to all interested persons. In second step, when the issue arise of resettlement of local communities in forest area it must be provide not only compensation but a secure there livelihood. Under such circumstance without training, and appropriate sensitization of the officials of forest department cannot be expected to change their mindset .And also without active and willing co-operation from the forest and other concerned departments, the task of reaching out to the intended beneficiaries and proper implementation of the forest right Act, will remain a distant dream. Therefore, state including NGO and other tribal organization should strive for a fine balance between wildlife, forests and indigenous peoples.



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