

Community Rights over Hadagarh Reservoir in Keonjhar, Odisha

Introduction

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (referred as the *Forest Rights Act (FRA)*) is a landmark legislation with the potential to transform the Lives and Livelihoods of more than 150 million Forest-dependent people in India. It recognizes the symbiotic relationship of Forest-dwellers with the forests, reflected in their dependence on it for a variety of needs, including livelihood, habitation & other socio-cultural as well as in their traditional wisdom regarding sustainable conservation of the forests.

Background

Under FRA, Community Forest Rights (CFR) and in this case, Community Fishing Rights have been conferred to Primary Fishermen's Co-operative Society (PFCS), Hadagarh over 4876.5 Acres of water bodies in Hadagarh Reserve Forest land. This is a unique and remarkable achievement in the history of FRA that a community has received Rights on a water body for the first time in Odisha.



The PFCS consists of 542 members, out of whom 432 are Scheduled Tribes (STs) and rest are from other communities. It is established in the year 1976 and is a Union of Fishermen, who have been depending on fishing in the Salandi Reservoir, Keonjhar, Odisha.

As evident from the Gram Sabha Resolution dated 03/02/2010, this Co-operative consists of members of 8 villages and the Gram Sabha was presided by the President of PFCS, Mr. Kalandi Nayak and attended by Ward members, members, and dignitaries of the locality and in the resolution, they have requested the District Collector to recognize their Fishing Rights.


From the Claim Form, it is evident that the members of PFCS have been earning their livelihood by fishing in the Reservoir in lieu of paying tax (nature of tax is not clear) to the Revenue Authority and since 2007, the Govt. has refused to accept any tax on the said resource and prohibited the PFCS to collect fish from the Reservoir. In the Claim Form, they have asked only for the Fishing Rights and nothing more than that.

Contents of the Title

The title is issued in name of the President, Hadagarh Primary Fishermen’s Co-operative Society under Hadagarh Gram Sabha for Fish culture and Collection over 4867.5 acres of forest land in Hadagarh Reserve Forest.

This right is coupled with following conditions;

- 1) Protection of Forest, Wildlife and Biodiversity
- 2) Protection of Watershed area, water source and other eco-sensitive areas
- 3) Protection to Habitat of Scheduled Tribes (STs) and other Traditional Forest-dwellers and to ensure protection to Cultural and Natural Heritages from Destructive Practices
- 4) To respect the Gram Sabha Resolution on Regulation of use of Community Forest Resources and to stop such activities that affects Forest, Wildlife and Biodiversity.



ପରିଶିଷ୍ଟ - ୩
(ନିୟମ ୮ (ଏଚ୍) ରୁଷ୍ଟବ୍ୟ)

Claim ID : 21/361/9667/565

ଅଧିକାରରେ ଥିବା ଜଙ୍ଗଲ ଜମି ପାଇଁ ଶିରୋନାମା

୧) ଗୋଷ୍ଠୀ ଜଙ୍ଗଲ ଅଧିକାରଧାରୀଙ୍କ (ମାନକ) ନାମ : ସଭାପତି, ହଦଗଡ଼ ପ୍ରାଥମିକ ମତ୍ସ୍ୟଜୀବୀ ସମବାୟ ସମିତି ଲିଃ, ହଦଗଡ଼

୨) ଗ୍ରାମ/ଗ୍ରାମ ସଭା : ଗ୍ରା. : ହଦଗଡ଼, ପୋ.ଅ.: ହଦଗଡ଼ ୩) ଗ୍ରାମ ପଞ୍ଚାୟତ : ହଦଗଡ଼ ୪) ବ୍ଲକ୍ : ହାଟକିହି

୫) ଚହସିଲ୍ : ହାଟକିହି ୬) ଥାନା : ସସୋ ୭) ଜିଲ୍ଲା : କେନ୍ଦୁଝର

୮) ଜନକାଚି ବା ଅନ୍ୟ ପାରମ୍ପରିକ ଜଙ୍ଗଲ ବାସିନ୍ଦା : ଜନକାଚି ୯) କି ପ୍ରକାର ଗୋଷ୍ଠୀଗତ ଅଧିକାର : ମାଛ ଚାଷ ଓ ଫଗୁହ

୧୦) ଚୈତ୍ତଫଳ ବିବରଣୀ - ଚିର ପ୍ରଚଳିତ ଚୈତ୍ତଫଳ ଏବଂ / ମୌଜା ଖାତା ସଂଖ୍ୟା ପୂର୍ବ ନଂ. ବିସମ କ୍ଷେତ୍ରଫଳ
 ବା ସୁଷ୍ପଷ୍ଟ ଭୂମି ଚିହ୍ନ ଖସିବା / କମ୍ପାର୍ଟମେଣ୍ଟ୍ ନମ୍ବର ସହିତ : ହଦଗଡ଼ ହଦଗଡ଼ ସଂରକ୍ଷିତ ଜଙ୍ଗଲ ସଂରକ୍ଷିତ ଜଙ୍ଗଲ ୧.୪୮୬୭.୫୦

୧୧) ଗୋଷ୍ଠୀ ଜଙ୍ଗଲ ଅଧିକାରୀ ଧାରୀଙ୍କ (ମାନକ) ନାମ : ଶ୍ୟାମ ହୋ, ଗୁରୁଦେବ ବିଂଶିଆ, ରାଘବ ନାଏକ, ସଦା ହୋ, ବିଷ୍ଣୁପ୍ରସାଦ ବିଂଶିଆ, ଗୋବିନ୍ଦ ନାଏକ, କରୁଣା ସେନାପତି, ବିକାଶ ଦତ୍ତା, ଶ୍ରୀରାମ ଶର୍ମାଆଳ ଓ ଅନ୍ୟ ଗ୍ରାମବାସୀଗଣ

୧୨) ସର୍ତ୍ତ - :
 ୧) ନ୍ୟାୟ, ନୀତି ଏବଂ ବିଧିବଦ୍ଧ ସୁରକ୍ଷା,
 ୨) ଜଳ ବିଭାଜନା ଅନୁ, ଜଳସ୍ତର ଏବଂ ଅନ୍ୟାନ୍ୟ ପରିବେଶୀୟ ସର୍ବଜନୀନ ଅଧିକାରକୁ ପର୍ଯ୍ୟାପ୍ତ ଭାବେ ସୁରକ୍ଷା ପ୍ରଦାନ କରବ,
 ୩) ନଦୀବା ଅନୁସୂଚୀତ ଜନକାଚି ଏବଂ ଅନ୍ୟାନ୍ୟ ପାରମ୍ପରିକ ନଦୀବାସୀ ବାସସୁଧାର ସୁରକ୍ଷା ଏବଂ ଚୈତ୍ତଫଳ ସୁରକ୍ଷା ପ୍ରଦାନ ଦ୍ୱାରା ସେମାନଙ୍କର ସଂସ୍କୃତି ଏବଂ ପ୍ରାକୃତିକ ସମ୍ପଦକୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ସୁରକ୍ଷା ନିୟମ ପ୍ରଦାନ କରବ,
 ୪) ଗୋଷ୍ଠୀ ଅଭ୍ୟନ୍ତର ସମ୍ପଦର ବ୍ୟବହାର ନିୟନ୍ତ୍ରଣ ପାଇଁ ଗ୍ରାମସଭା ଦ୍ୱାରା ନିଆଯାଉଥିବା ନିଷ୍ପତ୍ତିକୁ ସୁନିର୍ଦ୍ଧିତ କରିବା ଏବଂ ଚୈତ୍ତଫଳ କାର୍ଯ୍ୟ ଯାହା ନିଜର, ବନ୍ୟପ୍ରାଣୀ ଓ ଜୈବ ବିଭିନ୍ନତାକୁ ପ୍ରଭାବିତ କରୁଥିବା କାର୍ଯ୍ୟକୁ ବନ୍ଦ କରିବା ।

ଆମେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଗଣ, ଏତଦ୍ୱାରା ସରକାରଙ୍କ ପାଇଁ ଏବଂ ଓଡ଼ିଶା ରାଜ୍ୟ ଡିଭିଜନ୍ ଉପରୋକ୍ତ ଶିରୋନାମାରେ ଦର୍ଶିତ ଗୋଷ୍ଠୀ ଜଙ୍ଗଲ ଅଧିକାରକୁ ଅନୁମୋଦନ କରି ଆମମାନଙ୍କର ସ୍ୱାକ୍ଷର କରୁଅଛୁ ।

ବିଭାଗୀୟ ଜଙ୍ଗଲ ଅଧିକାରୀ
କେନ୍ଦୁଝର

ପ୍ରକଳ୍ପ ପ୍ରଶାସକ
ସମନ୍ୱିତ ଆଦିବାସୀ ଉନ୍ନୟନ ସଂସ୍ଥା, କେନ୍ଦୁଝର

ଜିଲ୍ଲାପାଳ
କେନ୍ଦୁଝର



Observations

- Even though the people have received this Community Forest Rights (CFR) under the Forest Rights Act (FRA), 2006, for historically fishing in this Reservoir inside Hadagarh Reserve Forest, they are yet to fully realize the potential of getting CFR.
- Neither the Primary Fishermen's Co-operative Society (PFCS), Hadagarh, nor the concerned Fisheries Department have understood the extent of benefits these communities can yield after receiving this CFR.
- Getting this entitlement has not been able to completely transform the Lives & Livelihoods of the Rightsholders, Fishing Communities of Hadagarh and the impact it was supposed to create and in fact capable of creating, is still missing.

Conclusion

Displacement is one of the worst nightmares for these communities, who were living near this Reservoir. In order to help them overcome this traumatic event, they should be treated as the primary Rightsholders and enjoy the entitlements and resources of this water body. Historically, they are utilizing and taking care of this vital natural resources and now, they should be able to get benefitted from this Community Forest Rights (CFR) and live in harmony with Nature.

