



Security Camps on Tribal Properties | Jharkhand | 13 Aug 2024

Why in News?

According to a Citizen's report, most of the **security camps in Chhattisgarh and Jharkhand**, post 2019, **have been set up on private or community properties of tribals** without their consent and in **severe violation of existing laws**.

Key Points

- The proliferation of paramilitary camps set up without the consent of tribal communities in Chhattisgarh and Jharkhand, which are meant to **facilitate mining operations** and corporate interests at the cost of Adivasi lives and **constitutional rights**.
 - The **peaceful democratic protests against the camps have been ignored** or suppressed using brutal methods, such as lathi-charge, burning the sites, and firing on the protestors.
- Most of these camps have been set up in areas that currently fall in the conservation or **no-mining zone** as per [the Management Plan for Sustainable Mining 2018](#).
- The report calls for the implementation of the [Panchayat \(Extension to Scheduled Areas\) Act, 1996](#) and [the Forest Rights Act, 2006](#) to respect the law and end human rights violations.

Panchayat (Extension to Scheduled Areas) Act, 1996

- **About:**
 - The PESA Act was **enacted in 1996** "to provide for the extension of the provisions of **Part IX** of the Constitution relating to the [Panchayats](#) to the Scheduled Areas".
 - **Part IX, comprising Articles 243-243ZT** of the Constitution, contains provisions **relating to municipalities and cooperative societies**.
- **Provisions:**
 - Under the Act, **Scheduled Areas are those referred to in Article 244(1)**, which says that the provisions of the [Fifth Schedule](#) shall apply to the **Scheduled Areas and Scheduled Tribes in states other than Assam, Meghalaya, Tripura, and Mizoram**.
 - The Fifth Schedule **provides for a range of special provisions for these areas**.
 - **Ten states** — Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Telangana have **notified Fifth Schedule areas** that cover (partially or fully) several districts in each of these states.

Forest Rights Act, 2006

- The **Forest Rights Act (FRA), 2006** was introduced to formally recognise and grant forest rights and occupation in **forest lands** to forest-dwelling **Scheduled Tribes** and other traditional forest dwellers who have resided in these forests for generations, even though their rights had not been officially documented.
- It aimed to **address the historical injustices** faced by forest-dwelling communities due to the forest management policies of colonial and post-colonial India, which failed to acknowledge their **long-standing symbiotic relationship with the forests**.
- Additionally, the Act sought to **empower forest dwellers** by enabling them to access and utilise forest resources sustainably, promote biodiversity and ecological balance, and protect them from unlawful evictions and displacement.

