

Analysis of Assembly Constituencies of Jharkhand and FRA Potential for 2019 Assembly Elections

The importance of Forest Rights Act and its transformative potential for securing rights and livelihoods of millions of tribal and forest dwellers remains understated in the political discourse and electoral process. Even though FRA's potential has been unmet (with implementation limited to only 5-10% of the potential), but still it has emerged as the most important pro-poor land reforms in India's history. The Community Forest Resource (CFR) Rights provision of FRA is even more revolutionary in replacing the colonial forest governance by a people-centered, democratic forest governance by Gram Sabhas. Wherever implemented properly as in Gadachiroli district in Maharashtra, CFR recognition has secured livelihoods and income of forest-dwellers, including women, and reinvigorated environmental conservation.

As per various estimates, at least **40 m ha of** forest land (more than 50% of forest area) can be vested as CFRs with Gram Sabhas, securing rights and livelihoods of at **least 20 crore people**, including almost **9 crore** tribals. At least **one fourth of the villages in the country (170,000)** are eligible for CFR rights. Unfortunately, in Jharkhand Forest Rights Act remains very poorly implemented due to lack of political will and extreme opposition by forest bureaucracy. The majority of districts with a high number of villages eligible to claim CFR are located in tribal majority and poverty-stricken regions, and face conflicts over land and resources. Evidence from the ground shows that rightsholders have used FRA, specially its community rights provisions, for:

- Transforming forest management to meet local livelihood and cultural needs;
- Ensuring food security and poverty alleviation;
- Securing gender justice and rights of women over land and forest;
- Strengthening conservation efforts and meeting India's international commitments for climate change mitigation.

This note seeks to bring to the attention of political parties and candidates of the upcoming assembly elections, the political importance of Forest Rights Act in terms of how many of the potential forest rights holders and voters would benefit from the proper implementation of this law. Much of this benefit is in form of community rights and community benefits from forests as also in the form of individual land for cultivation and habitation, to which women have equal rights as heads of households (singly or jointly with their spouses) and members of Gram Sabhas.

Methodology

This note is based on two sources of data- the election commission data on 2014 Assembly Constituency (PC) results and the Assembly Wise FRA potential based on census data. The FRA Potential data is based on Census 2011; and includes all forest area located inside

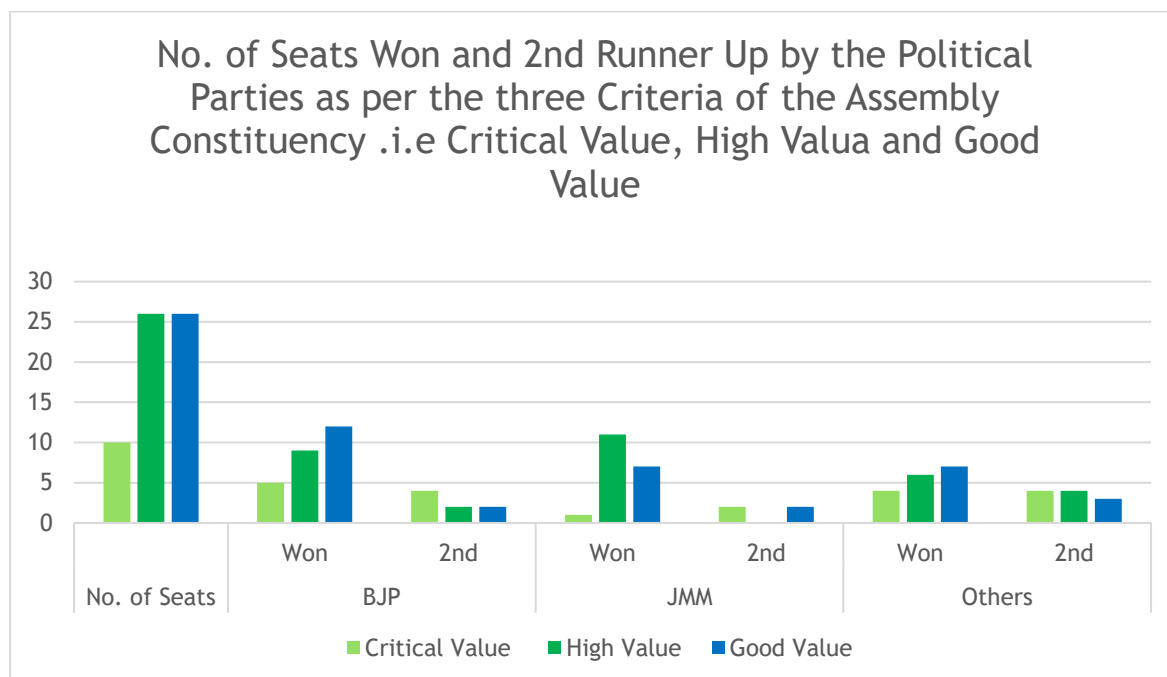
village boundaries. The assumptions made during calculating FRA potential are in the footnotes¹.

The Assembly constituencies have been categorized in three categories as per the value of FRA as potential influencing factor in the elections, namely Critical Value; High Value and Good Value. The criteria for the same are provided in the annexure.

Table illustrating these categories with respect to the result of 2014 Assembly Election:

Value of FRA as a electoral factor	No. of Seats	BJP		JMM		Others	
		Won	2nd	Won	2nd	Won	2nd
Critical Value	10	5	4	1	2	4	4
High Value	26	9	2	11	0	6	4
Good Value	26	12	2	7	2	7	3

Graph illustrating these categories with respect to the result of 2014 Assembly Election:



We assume that the Assembly Constituencies falling in the three categories² have Forest Rights Act as a core issue, which can significantly influence winning margins in these constituencies.

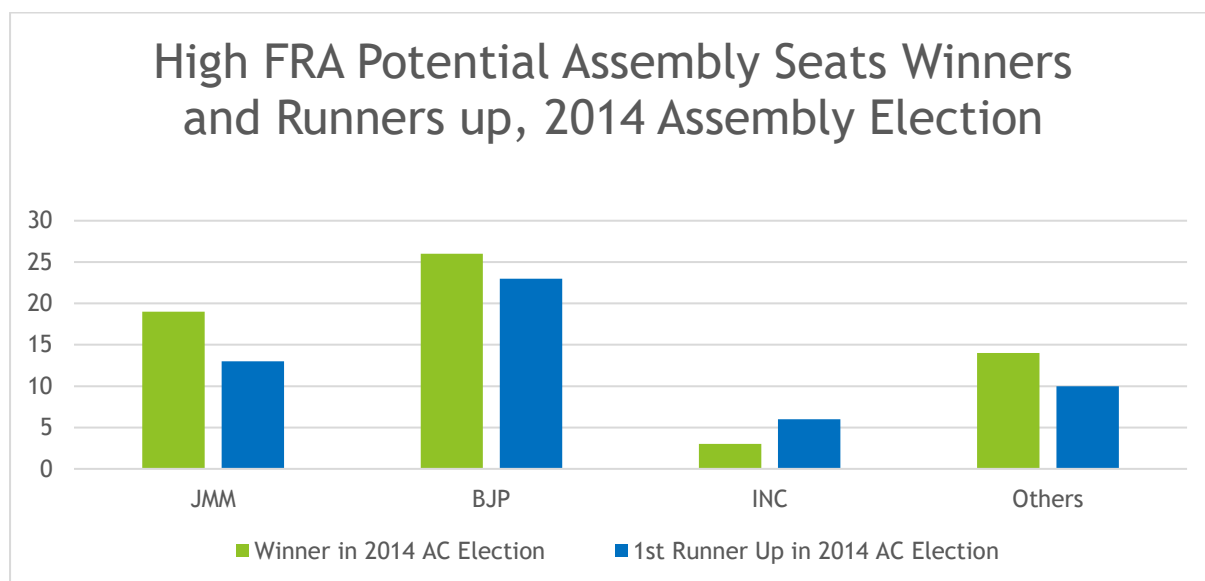
¹ All inhabitants of villages having forest areas inside the village cadastral boundary are treated as forest rights holders (for Community rights, especially Community Forest Resource Rights which provides power to govern and manage CFRs). The community rights are also applicable to most of the forests outside village boundaries- however making an estimation of such forest areas is relatively more difficult. This is the reason why we use the term minimum FRA potential

There are 62 such Assembly Constituencies across Jharkhand. Following table illustrates the details of this Assembly Constituencies with reference to the win and loss in 2014 Assembly Election.

Table Illustrating the High FRA Potential Assembly Seats Winners and Runners up, 2014 Assembly Election

Name of the Party	Winner in 2014 AC Election	1 st Runner Up in 2014 AC Election
JMM	19	13
BJP	26	23
INC	3	6
Others	14	10

Graph Illustrating the High FRA Potential Assembly Seats Winners and Runners up, 2014 Assembly Election



It becomes very clear that INC, which enacted Forest Rights Act, has done miserably in ACs where FRA is a core issue, BJP and JMM are the two leading political Parties who have either won or been in the 1st Runner up positions in these Constituencies. INC has failed to build its presence or win in these constituencies, more over it has been failed to get two digit

² AT least 20% of the eligible voters are also potential Forest Rights Act rights holders, mainly collective rights

numbers in either the winning or 1st runner up position as they have won only 3 Assembly seats out of 62 and have been 1st Runner up for 6 seats. This above information, further states that there has been tough Competition between the JMM and BJP as BJP has won 26 AC Seats in these Constituencies and JMM has won 19 AC Seats. BJP has been in 1st Runner up position in 8 of these Constituencies, whereas JMM has been in 1st Runner up position in 4 of these Constituencies. One may safely say, that these 68 constituencies can be decisive in influencing next government formation.

Assembly Constituencies reserved for Scheduled Tribes (28):

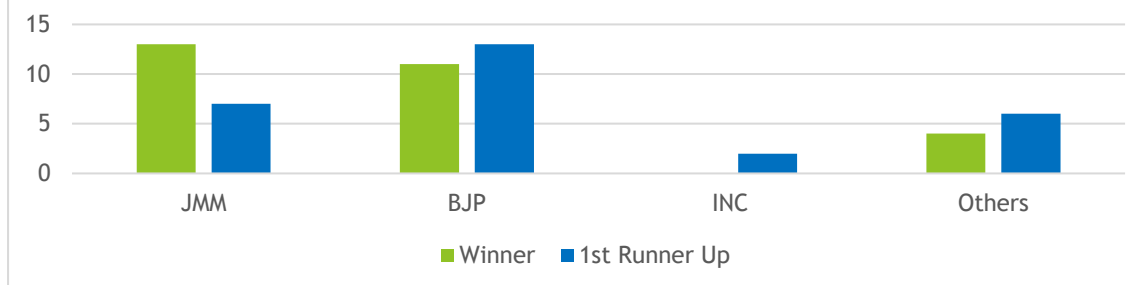
There are 28 ST Reserved Assembly Constituencies in Jharkhand. There has been tough Competition between JMM and BJP in terms of these ST reserved states. Even JMM has maximum seats i.e. 13, two seats more than BJP .i.e 11. However if we see the 1st runner up data, BJP has maximum number i.e. 13 than JMM i.e. 7. INC has performed very poor in the reserved constituencies as it has been in the 1st runner up only in 2 reserved ST constituencies and not won any seats. Combined with MOEFCC/Forest bureaucracy led efforts at diluting FRA through CAF Act, the Draft National Forest Policy, changes in LARR, BJP remains extremely vulnerable to a campaign based around Forest Rights, land rights and transfer payments of CAMPA and other green economy funds. Thus, in order to win the upcoming election both the parties have to show their commitment towards Forest Rights Act, 2006 and how they aim to effectively implement the law.

Table Illustrating High FRA Potential Assembly seats Winners and Runners up, 2014 Assembly Election in the Reserved ST Constituency

Name of the Party	Winner	1st Runner Up
JMM	13	7
BJP	11	13
INC	0	2
Others	4	6

Graph Illustrating High FRA Potential Assembly seats Winners and Runners up, 2014 Assembly Election in the Reserved ST Constituency

High FRA potential Assembly seats Winners and Runners up, 2014 Assembly Election in the Reserved ST Constituency



INC, has everything to gain in ST constituencies by using the forest rights and land rights as a core campaign issue. It has not won any ST seats, but was runner up in 2 of the ST seats. The campaign issues in these seats, especially the ones in mainland Jharkhand, for INC, would be effective implementation of FRA, specially community rights, implementation of PESA, transfer payments of green funds³ (including CAMPA money) to Gram Sabhas for forest and commons restoration directly, withdrawal of forest cases, effective price for MFPs etc. Given the poor record of incumbent governments, this approach will likely win INC a majority of ST seats if it makes these issues a central plank in its campaign.

³ Transfer payment to Gram Sabhas for forest protection and restoration: We assume that Rs. 2000/year/ha. would be transferred to the Gram Sabha accounts for their protection of forests; additional costs of plantations/other activities will be over and above this. The funds will come from the Rs. 60,000 CAMPA money and other schemes of greening India. We estimate that this would transfer at least Rs. 5,000 crores directly to tribal and forest dweller Gram Sabhas for effective and sustainable forest protection and management.

ANNEXURE – 1

A. Critical Value Constituencies:

Definition: The Assembly Constituencies who have more than 1 lakh SC and ST voters, who are eligible for Recognitions of Rights under Forest Rights Act 2006 are termed as Critical Value Constituencies.

SL. No	Assembly Constituency name	AC Category	winner Party 2014	Losing Party 2014	AC Election Margin 2014	Voters eligible for FRA rights	SC +ST Voters	Minimum Forest area eligible for FRA recognition (ha)
1	bhawanathpur	GEN	NSM	BJP	2661	296191.4	122844.3	65005
2	chakradharpur (st)	ST	JMM	BJP	26448	124744	106945	22688
3	daltonganj	GEN	JVMP	INC	4347	210605.3	100208.7	84676
4	gumla (st)	ST	BJP	JMM	4032	146183	112155.5	48792
5	kolebira (st)	ST	Jharkhand Party	BJP	17143	186982.7	155249.9	58907
6	latehar (sc)	SC	JVMP	BJP	26787	195267.1	130466.6	83328
7	mandar (st)	ST	BJP	AITMC	7605	169609.1	111626.7	18728
8	manika (st)	ST	BJP	RJD	1083	159152.1	124957.9	74019

9	simdega (st)	ST	BJP	Jharkhand Party	3194	166402.4	127601	43037
10	sisai (st)	ST	BJP	JMM	2593	153107.8	106231.4	20751

B. HIGH VALUE CONSTITUENCIES

Definition: The Assembly Constituencies who have SC and ST voters ranging from more than 50 thousand and less than 1 Lakh, eligible for Recognitions of Rights under Forest Rights Act 2006 are termed as Critical Value Constituencies

Sl. No	Assembly Constituency name	AC Category	Winning Party of AC Election of 2014	Losing Party of AC Election of 2014	Margin of AC 2014	Total Voter	SC +ST Voters	Forest Area (ha.)
1	barhait (st)	ST	JMM	BJP	24087	88001.56	68951.44	21372
2	barkagaon	GEN	INC	AJSU Party	411	145859.3	57756.1	53367
3	bishunpur (st)	ST	JMM	BJP	10843	75728.04	63350.98	48775
4	boiro (st)	ST	BJP	JMM	712	82415.98	63415.46	19782
5	chaibasa (st)	ST	JMM	BJP	34715	85969.82	72524.5	21464
6	chatra (sc)	SC	BJP	JVMP	20576	233885.1	98959.44	106483
7	chhatarpur (sc)	SC	BJP	RJD	5881	154590.2	70379.92	28715
8	gandey	GEN	BJP	JMM	10279	155449.5	58832.42	17941
9	garhwa	GEN	BJP	RJD	21510	203518.1	99099.56	59982
10	ghatsila (st)	ST	BJP	JMM	6403	106388.9	71224.36	18392
11	Gomia	GEN	JMM	BJP	37514	143311.8	58906.2	40460

12	ichagarh	GEN	BJP	JMM	42250	158714.4	68910.52	27854
13	jaganathpur (st)	ST	JBSP	BJP	24611	85272.32	68854.1	24069
14	kharasawan (st)	ST	JMM	BJP	11966	73766.36	53689.52	22029
15	khijri (st)	ST	BJP	INC	64912	125882.3	77818.68	20435
16	khunti (st)	ST	BJP	JMM	21515	110332.7	92391.78	14499
17	litipara (st)	ST	JMM	BJP	25083	98274.96	85604.02	18016
18	lohardaga (st)	ST	AJSU Party	INC	592	120652.6	80175.3	39941
19	majhgaon (st)	ST	JMM	JBSP	11182	101175.3	77873.86	27160
20	mandu	GEN	JMM	BJP	7012	249396.2	85395.08	57751
21	manoharpur (st)	ST	JMM	BJP	16569	70589.48	52628.08	20025
22	Panki	GEN	INC	IND	1995	113006.8	50701.74	43865
23	sikaripara (st)	ST	JMM	JVMP	24501	94856.9	67805.68	13218
24	simaria (sc)	SC	JVMP	BJP	15640	159728.7	59785.98	63044
25	tamar (st)	ST	AJSU Party	IND	26006	114283.4	86404.44	34225
26	torpa (st)	ST	JMM	BJP	43	92102.86	67782.12	18869

C. GOOD VALUE CONSTITUENCY

Definition: The Assembly Constituencies who have SC and ST voters ranging from more than 10 thousand and less than 50 thousand, eligible for Recognitions of Rights under Forest Rights Act 2006 are termed as Good Value Constituencies

Sl. No	Assembly Constituency name	AC Category	Winning Party of AC Election of 2014	Losing Party of AC Election of 2014	AC Election Margin of AC 2014	Total Voter	SC +ST Voters	Forest Area (ha.)
1	bagodar	GEN	BJP	CPI(M)(L)	4339	197881.7	30225	16784
2	baharagora	GEN	JMM	BJP	15355	77399.56	45765.3	16044
3	Barhi	GEN	INC	BJP	7085	157290.9	39420.84	50902
4	barkatha	GEN	JVMP	BJP	8207	159073.4	32491.1	31185
5	Bermo	GEN	BJP	INC	12613	71472.98	31494.14	8150
6	bishrampur	GEN	BJP	IND	13910	43533.3	17403.4	6795
7	deoghar (sc)	SC	BJP	RJD	45152	49510.72	13284.74	5446
8	dhanwar	GEN	CPI(M)(L)	JVMP	10712	147143.4	36370.44	45114
9	dumka (st)	ST	BJP	JMM	5262	53741.6	37425.68	8353
10	Dumri	GEN	JMM	BJP	32481	155218.2	40311.16	27128
11	Giridih	GEN	BJP	JMM	9933	103783.7	49892.02	25218
12	hazaribagh	GEN	BJP	IND	27129	140413.9	43016.22	33244
13	hussainabad	GEN	BSP	NCP	27752	48634.04	22063.32	15130
14	jama (st)	ST	JMM	BJP	2306	33659.18	23675.32	3110
15	jamua (sc)	SC	BJP	JVMP	23100	97759.12	22767.64	14426
16	jugsalai (sc)	SC	AJSU Party	JMM	25045	74379.54	39019.7	10435
17	kanke (sc)	SC	BJP	INC	59804	67274.34	34073.96	18346
18	kodarma	GEN	BJP	RJD	13525	114694.4	21434.02	46382
19	madhupur	GEN	BJP	JMM	6884	66114.32	23436.62	6851
20	maheshpur (st)	ST	JMM	BJP	6156	21792.38	14794.44	961
21	Nala	GEN	JMM	BJP	7015	41212.02	22372.7	5720

22	potka (st)	ST	BJP	JMM	6706	58338.28	46991.04	15003
23	ramgarh	GEN	AJSU Party	INC	53818	107726.2	41081.2	12962
24	seraikella (st)	ST	JMM	BJP	1115	43022.42	28189.54	8375
25	Silli	GEN	JMM	AJSU Party	29740	87886.24	40325.42	18337
26	Tundi	GEN	AJSU Party	JMM	1126	95907.8	41457.54	11726