



## Normative guarantees and ground realities: A Socio-legal inquiry into indigenous land and forest rights in India

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### Abstract

The paper critically examines the constitutional, statutory, and judicial framework governing tribal and Indigenous rights in India, with particular emphasis on land, cultural autonomy, and self-governance. While the Indian Constitution provides special protections to Scheduled Tribes under Articles 15(4), 16(4), 46, 244, and the Fifth and Sixth Schedules, and Parliament has enacted protective legislation such as the Panchayats (Extension to Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the implementation of these safeguards reveals a persistent gap between normative guarantees and ground realities. Empirical data demonstrates the structural vulnerability of tribal communities. According to the 2011 Census, Scheduled Tribes constitute 8.6% of India's population, yet various government and academic studies estimate that tribals represent a disproportionately high share of development-induced displacement, particularly due to dams, mining, and protected area expansion. As per data placed before courts and parliamentary committees, over 1.8 million forest rights claims have been rejected nationally, raising concerns about procedural irregularities and narrow evidentiary standards contrary to the spirit of the FRA. Furthermore, the 2019 Supreme Court proceedings in *Wildlife First v. Union of India* which initially directed eviction of forest dwellers whose claims were rejected highlighted the fragility of tenure security when administrative rejections are treated as conclusive, prompting nationwide review processes. This paper undertakes a doctrinal and socio-legal analysis of statutory interpretation, executive practice, judicial trends, and commission reports, including findings of the National Commission for Scheduled Tribes (NCST). It argues that bureaucratic control over verification processes, restrictive readings of community rights, and prioritisation of extractive development undermine constitutional morality and tribal self-determination. The research concludes that meaningful realisation of Indigenous rights requires strict adherence to Gram Sabha consent under PESA, transparent adjudication of claims, strengthened institutional accountability, and a rights-based development paradigm that reconciles environmental governance with social justice.

**Keywords:** Indigenous and tribal rights; forest rights ACT, 2006 (FRA); development-induced displacement; constitutional morality and tribal self-governance

### Introduction

#### Research Questions

1. The question of whether economic development projects regardless of whether consent or consultation is necessary are unlawful under international law in specific situations.
2. The issue of whether economic development initiatives need indigenous peoples' free, prior, and informed consent before they can lawfully move forward.

#### Research Methodology

The present study adopts a secondary sources of data and employs a doctrinal technique of legal research. To determine the current legal position on the topic, doctrinal research include a methodical review and study of statute provisions, court decisions, and established legal principles. The study focuses on the interpretation and critical assessment of the legislation and is analytical and descriptive in nature.

The study's foundation is secondary data gathered from reliable sources, such as scholarly publications, statutes, case law, and legal commentary. Governmental and institutional reporting have been especially relied upon. The legal analysis has been empirically supported by the examination of crime statistics, trends, and patterns at the state level using data supplied by the State Crime Records Bureau (SCRB). Further, In addition, the National

Commission for Scheduled Tribes (NCST) publications and reports have been cited to evaluate matters concerning tribal rights protection and institutional reactions to infractions. In order to comprehend contemporary changes and the socio-legal background, reputable publications and credible media sources have also been reviewed. These sources have been carefully used to guarantee objectivity and dependability. A logical and well-reasoned legal analysis has been produced by qualitatively analyzing the gathered data.

#### Introduction

The indigenous voice has been attempted to be silenced by modern society.<sup>[1]</sup> Its institutions, language, and customs have taken center stage.<sup>[2]</sup> In particular, the law of modernity has left its mark on indigenous peoples, pursuing the sword of conquest into the Western Hemisphere and beyond.<sup>[3]</sup> It was to be assumed that it would dominate indigenous ways of life. The soft, unresisting indigenous concepts of oneness with Mother Earth and Father Sky, their emphasis on peace and reconciliation, their faith, and their emphasis on leaving no one behind on community were all overtaken by its aggressive use of the Earth and its resources, its emphasis on "getting ahead" via technological and social "progress," its emphasis on the individual, and its combination of sanctions to punish perceived transgressions. have departed from them and are speaking up.<sup>[4]</sup> Those who were

previously systematically divided have come together as a result of an international movement.<sup>[5]</sup> Decisions made both domestically and internationally have led in the termination of indigenous voices and values, the stalling of assimilation processes, and occasionally even a little reversal of time. The indigenous voice has been attempted to be silenced by modern society.<sup>[6]</sup> Its institutions, language, and customs have taken center stage.<sup>[7]</sup> In particular, the law of modernity has left its mark on indigenous peoples, pursuing the Western Hemisphere and beyond with the sword of conquest.<sup>[8]</sup> It was to be assumed that it would dominate indigenous ways of life. Its ruthless exploitation of the planet and its resources, coupled with penalties for alleged violations, and its emphasis on "moving ahead" through technological and social "progress," its emphasis on the individual, its emphasis on Cartesian reason and logic, and its soft, unresisting indigenous concepts of unity with Mother Earth and Father Sky, as well as their emphasis on peace and reconciliation, faith, and leaving no one behind on community, all collided head-on.<sup>[9]</sup> The assault hasn't been entirely successful, though. All of the contemporary world's military, economic, and materialistic power has failed to silence the voice of the indigenous people. Indigenous cultures, peoples, and their beliefs have endured in the same way that gentle water eventually erodes even the strongest rocks. Like a lot of oppressed communities, they had to adapt, go underground, and avoid direct conflict;<sup>[10]</sup> they retreated into survival niches, places that the more powerful and aggressive portion of humanity had not initially desired;<sup>[11]</sup> they engaged in religious syncretism, turning their own gods into saints of the dominant faith;<sup>[12]</sup> they took part in the dominant economies through tourism and the sale of handicrafts; and<sup>[13]</sup> they even joined the conqueror's armed forces.<sup>[14]</sup> Ironically, indigenous peoples have been able to unite and share their stories across the borders of the invaders' territory because to modern communication tools<sup>[15]</sup>, have departed from them and are speaking up. Those who were previously systematically divided have come together as a result of an international movement.<sup>[16]</sup> Domestic and international judgments have led to the termination of indigenous voices and values, the stalling of assimilation processes, and occasionally even a minor reversal of time. Over 5,000 distinct Indigenous Peoples make up 476 million people worldwide, or about 6.2% of the total population. They speak more than 4,000 languages and are dispersed throughout more than 90 nations in every region.

Extreme poverty is more common among Indigenous people, they experience greater rates of internal relocation, hunger, and landlessness than other groups. Their life expectancy is up to 20 years lower than that of non-Indigenous people, and they frequently score first for unemployment, illiteracy, and incarceration.<sup>[17]</sup> Despite being the original people, indigenous peoples have traditionally experienced systematic discrimination, dispossession, and marginalization, people who live in their respective countries.<sup>[18]</sup> Legal frameworks have developed over time to acknowledge and defend their rights, especially with regard to property ownership, cultural preservation, and self-determination. Constitutional law and international legal documents like the International Labour Organization (ILO) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The legal environment for

Indigenous rights has been significantly shaped by Convention 169. Although these frameworks are in place, there are significant differences in how well they are applied in various jurisdictions.

An essential component of Indigenous identity, livelihood, and cultural survival is the right to land. Since many Indigenous people have strong ancestral and spiritual ties to their lands, land rights are crucial to their legal safeguards. However, Indigenous territories have been widely lost as a result of historical injustices including colonialism and forced relocation. Land restitution is one way that legal frameworks in nations like Canada, Australia, and Brazil have tried to remedy these injustices. A fundamental component of Indigenous rights is self-determination, which enables communities to rule themselves and make choices. In terms of their political, social, and economic advancement. International law acknowledges this idea, and certain national constitutions uphold it. The degree to which Indigenous tribes are able to practice self-governance, however, varies greatly. Greater autonomy in decision-making is made possible by the recognition of Indigenous self-government systems by some countries, including Canada and New Zealand. Others still erect administrative and legal obstacles that restrict Indigenous sovereignty. The extent of Indigenous jurisdiction inside a state and the balance between national sovereignty and Indigenous governance are just two of the complicated legal and political issues that are brought up by the recognition of self-determination<sup>[19]</sup>. With a focus on land rights, this study attempts to investigate the legal and constitutional safeguards accessible to Indigenous peoples. self-determination and cultural preservation. By examining significant court rulings, changes in policy, considering international standards, this study aims to identify the advantages and disadvantages of current frameworks and investigate possible changes. In addition to being required by law, it is morally necessary to defend and advance Indigenous rights in order to promote justice, equality, and reconciliation.

### **Case Study: During Covid 19**

Due to persistent and institutionalized inequality, Indigenous Peoples had less access to education than non-Indigenous people even prior to the Covid-19 epidemic. These differences were brought to light and made worse by the Covid-19 pandemic. Indigenous children were shut out of educational chances when the epidemic struck because they have limited access to computers and the internet. Due to school closures and the shift to online instruction, the pandemic exacerbated the "digital divide" between Indigenous and non-Indigenous children. Many Indigenous youngsters, particularly those living in rural areas, lacked the gadgets and internet connectivity necessary to participate in virtual classes. High internet fees, a poor or nonexistent dependable network or speed, and frequent power outages were further problems.

If governments had taken the needs into consideration, these effects might have been prevented of Indigenous students in their Covid-19 response plans. Indigenous Peoples were not involved in the creation of these plans in the majority of nations. Indigenous Peoples were deprived of some of their most basic rights, including as healthcare and education, as a result of this inability to communicate with marginalized people. Even if school closures have ended, learning loss

and dropout rates among Indigenous children are still a result of the pandemic.

## **How are indigenous peoples' human rights violated?**

### **1. Encroaching on their right to self-determination**

Many Indigenous Peoples are denied the freedom to select their own political or governmental systems, despite the fact that some are self-governing. This is true even though Indigenous Peoples had been exercising their right to self-government for thousands of years before colonists arrived starting in the fifteenth century.

These rights are collectively referred to as "self-determination," which is a legally enforceable right in international law that allows peoples to freely choose their political status and pursue their own economic, social, and cultural advancement. It is incorporated into legal documents that address the effects of colonialism on Indigenous Peoples, such as the UN Declaration on the Rights of Indigenous Peoples.

### **2. Forced assimilation**

In order to assimilate Indigenous children into Canadian society as a whole, Canada separated them from their families during the 19th and 20th centuries and sent them to boarding schools supported by the federal government. They were prohibited from speaking their native tongues or expressing their identities and cultural heritage in these "Indian Residential Schools." "Aboriginal people were assumed to have ceased to exist as a distinct people...with their own governments, cultures, and identities" as a result. In these schools, an estimated 150,000 First Nations children were abused.

In Australia, indigenous children were placed in institutions where they endured cruelty and neglect and were compelled to integrate into white society. These kids are referred to as the "Stolen Generations."

### **3. Trespassing on their right to cultural lands**

The rights of Indigenous Peoples to possess land are also frequently violated.

Indigenous Peoples cannot be relocated by states without their free, prior, and informed consent (FPIC) and without providing them with sufficient compensation, according to international law. However, governments and private businesses frequently take, sell, lease, or just loot and damage Indigenous Peoples' lands, which are home to more than 35% of the world's intact forests and frequently rich in natural resources like oil, gas, and minerals. When they try to defend their territories, indigenous land defenders encounter violence and sometimes murder. Due to armed warfare or discriminatory legislation, many Indigenous Peoples have been forced off their land. They frequently lose access to resources and customs that are essential to their identity, survival, and well-being. Situations like as these push them to leave their homes and go to towns and cities, or else they risk becoming more marginalized, impoverished, ill, violent, or perhaps going extinct as a people.

## **Analysis**

Indigenous peoples are the original inhabitants of a particular region who have distinct cultural, linguistic, and historical identities that are different from those of hegemonic communities. They frequently have strong ties to

their ancestral areas and uphold customs, political structures, and religious beliefs. Indigenous peoples are defined differently in national laws, international treaties, and legal systems. The rights of Scheduled Tribes and other marginalized Indigenous populations are recognized by a number of acts, legislation, constitutional provisions, and special laws in India, even if the word "Indigenous peoples" is not specifically used in legal statutes. The definitions given under various Indian legal frameworks are listed below <sup>[20]</sup>.

#### **▪ The Constitution Of India (1950)**

Although the word "Indigenous peoples" is not used in the Indian Constitution, Scheduled Tribes (STs) are recognized in Article 366(25). It states that "those tribes or tribal communities or sections of or groups within such tribes or tribal communities that are designated under Article 342 to be Scheduled Tribes for the purposes of this Constitution" are considered Scheduled Tribes. The Sixth Schedule gives tribal areas in northeastern states like Assam, Meghalaya, Tripura, and Mizoram autonomy, while the Fifth Schedule governs the administration and management of Scheduled Areas, which are primarily populated by Indigenous tribes.

#### **▪ The Scheduled Castes And Scheduled Tribes (Prevention Of Atrocities) Act, 1989**

A legal framework to stop violence and prejudice against Scheduled Tribes and Scheduled Castes is provided by this Act. It protects the social, economic, and cultural rights of STs by defining them in line with Article 342 of the Constitution.

#### **▪ The Forest Rights Act, 2006 (Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act)**

Indigenous people' rights over forest lands they have historically occupied are acknowledged by the Forest Rights Act . Under members of Scheduled Tribes who live mostly in forests and rely on them for their existence, culture, and means of subsistence are referred to as "forest-dwelling Scheduled Tribes" under Section 2(c). Those who have resided in forest areas for at least three generations prior to December 13, 2005, are also recognized as "other traditional forest inhabitants" under Section 2(o).

#### **▪ The PESA Act, 1996**

The PESA Act expands the Fifth Schedule's self-governance provisions to include indigenous regions. The Act's Section 4 gives Gram. In Scheduled Areas, Sabhas (village councils) recognize Indigenous self-governance institutions and are responsible for managing local resources, preserving traditional customs, and defending communal lands.

#### **▪ The Tribal Sub-Plan And Special Central Assistance**

The Tribal Sub-Plan was created to provide budgetary allocation for the development of tribes that are scheduled. To improve the economic and social standing of Indigenous communities, a number of ministries must provide funding commensurate with the ST population.

## **Analysis**

Approximately 705 ethnic groups are classified as Scheduled Tribes in India. The term "Adivasis," which translates to "original occupants, Indigenous Peoples," is

commonly used to refer to the Scheduled Tribes in central India. [21] They make up 8.6% of the entire population, with an estimated 104 million people. The total population of the Scheduled Tribes is higher than the official number because there are other ethnic groups that would be eligible for Scheduled Tribe status but are not officially recognized. The seven northeastern Indian states and the so-called "central tribal belt," which stretches from Rajasthan to West Bengal, are home to the greatest numbers of Indigenous Peoples. The rights of Indigenous Peoples to land and self-governance are recognized by a number of Indian laws and constitutional provisions, including the Fifth Schedule for central India and the Sixth Schedule for some parts of northeast India. There are many flaws in the laws intended to safeguard Indigenous Peoples, and their execution is far from adequate.

The term "Indigenous Populations" has been used more frequently by the Indian government in official announcements, such as the creation of a High-Level Committee to investigate the "social, economic, cultural, and linguistic issues of the Indigenous population in the State of Tripura" [22] or in its defense of the Citizenship Amendment Bill, 2019. The International Day of the World's Indigenous Peoples, which is observed on August 9 worldwide, was proclaimed a state holiday by the Jharkhand state government. [23] Indigenous adolescents are becoming the primary voices in the fight for Indigenous rights, the defense of ancestral lands, and the opposition to projects that are harmful to the environment and society throughout India. But because of their advocacy, they are now being persecuted.

Indigenous teenagers in Arunachal Pradesh have taken the lead in opposing massive hydropower projects that could force thousands of people to relocate. The 11,000 MW Upper Siang Multipurpose Storage Project, which presents ecological dangers as well as the possibility of cultural legacy loss for the Adi Indigenous population, has sparked broad opposition thanks to the Siang Indigenous Farmers Forum (SIFF), which is organized by Indigenous youth. Indigenous youth leaders Dunge Apang of the SIFF and Advocate Ebo Mili were arbitrarily arrested on July 8 while planning a nonviolent demonstration against the USMP. They were forced to sign bonds limiting their ability to protest in the future after being detained for more than ten hours. Due to his protests against major dams in March 2022 and August 2023, Mr. Ebo Mili has already experienced court persecution. [24] In a similar vein, Indigenous youth activists in Assam were singled out for their opposition to the contentious five-star hotel project close to Kaziranga National Park. A crowd of more than 100 people surrounded Indigenous youth activists Pranab Doley, Manohar Pegu, and Ritupan Pegu, along with other members of the Greater Kaziranga Land and Human Rights Committee (GKLHRC), in Rongajan village, Kaziranga, in August while they were gathering testimonies from families who had been forced to leave their homes to make room for the proposed hotel. Doley was singled out by the mob, who threatened him and other GKLHRC members. Rather than providing protection, the police arrested Manohar Pegu, Ritupan Pegu, and other individuals. [25] The local communities' rights, the ecology, and animals are all under risk from the proposed project. [26] Tribal youths staged protests in August to call for better working conditions and accountability after a tribal worker died at the Ultratech Cement factory in Madhya Pradesh's Dhar region. Over 150

indigenous adolescents were charged with crimes, including those under the National Security Act (NSA), rather than having their concerns addressed. [27] The Constitution (Jammu and Kashmir) Scheduled Tribes Order (Amendment) Bill 2024, the Constitution (Scheduled Tribes) Order (Amendment) Bill, 2024, and the Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Bill, 2024 were all approved by Parliament in February. With the passage of these three legislation, the list of STs in Jammu and Kashmir, Andhra Pradesh, and Odisha was expanded to include over 50 communities, including seven Particularly Vulnerable Tribal Groups (PVTGs), numerous phonetic variations and synonyms, and a few new communities. These communities had been denied access to benefits intended for STs under the government's current programs, such as reservation in services and admittance to educational institutions, because they were not on the ST list. [28] PVTGs are among the tribes that are still not recognized as STs, though. Tothi in Andhra Pradesh, Great Andamanese in Andaman and Nicobar Islands, Totos in West Bengal, Maram Naga in Manipur, Maria Gond in Maharashtra, and Hill Korbas and Abujh Maria in Madhya Pradesh are the six PVTGs that fall under this category. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 basically denies victims of atrocities justice and other advantages if they do not have ST certificates. [29]

### Contemporary Issues

Serious administrative and structural flaws currently limit the National Commission for Scheduled Tribes' (NCST) ability to protect the rights of Scheduled Tribes (STs). Data submitted in Parliament shows that only 54 of the 124 sanctioned positions are filled, leaving 70 open positions, or approximately 56% of the total. [30]

#### Tribal Health Report Highlights

- In contrast to India's average of 933, the sex ratio is 990.
- Compared to 20.5% of non-tribal people, 40.6% of ST people lived below the poverty line.
- Anemia affects 65% of tribal women between the ages of 15 and 49.
- Tribal women have the lowest institutional delivery rate (70.1%), with an IMR of 44.4 for the ST population in 2014.
- The mortality rate for children under five was 57.2 per 1000 live births.
- Fifty percent of all malaria-related deaths occur among tribal people.
- Tribal children are nearly 1.5 times as likely to be underweight than children from "other" castes.
- Just 25% of expectant and nursing mothers and 29–32% of youngsters consumed enough calories and protein.
- There are currently 75 different tribal tribes.
- Currently, 75 tribal groups have been designated as Particularly Vulnerable Tribal Groups.
- India is home to more than 104 million indigenous people, of which 705 are classified as Scheduled Tribes.
- Tribal people make up 8.6% of the nation's population.
- STs have a total fertility rate of 2.5.
- Compared to the rest of the nation, the tribal group has a much higher estimated prevalence of pulmonary tuberculosis (703 versus 256 per 100,000).
- The percentage of ST patients with leprosy is 18.5%.

- Among tribal adults, one in four have high blood pressure.
- In tribal groups in central India, sickle cell anemia affects 1 in 86 births.
- Of the tribal men aged 15 to 54, over 72% used tobacco, and 50% drank alcohol.
- Tribal people frequent public hospitals for nearly half of their outpatient visits, and government health services account for more than two thirds of their indoor hospital stays.

## Conclusion

### Continued Violations Of The Right To Land And Forest Resources

The Forest (Conservation) Amendment Act, 2023<sup>[31]</sup> gives the central government the authority to exempt certain projects and transfer land without forest clearance to specific types of forest areas. These projects include "security-related linear projects," which can be built within 100 kilometers of international borders or up to 10 hectares in size for defense-related projects, like paramilitary camps or public utility projects in areas affected by Left Wing Extremism<sup>[32]</sup>. Therefore, unless the Supreme Court issues a stay, the forest clearance requirements are still in effect for the execution of such projects. The Scheduled Tribes' forest rights and the Gram's right to free, prior, and informed consent are both violated by the FCA Amendment Act, 2023. Sabhas in accordance with Section 4 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)<sup>[33]</sup> and Section 4(e) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006[14] (FRA).<sup>[34]</sup> The central government has promised that no "precipitative action" will be taken until rules for an exception from the definition of forest under the new law are developed. The Supreme Court of India is currently considering petitions contesting the constitutionality of the revisions.<sup>[35]</sup> The Guwahati High Court is considering a second petition<sup>[36]</sup> contesting the constitutionality of the Amendment Act, arguing that exempting "security-related linear projects" within 100 kilometers of international borders from the mandatory forest clearance requirement could completely deplete the forest North-East. In addition to carrying out the highly criticized Rs 72,000-crore (EUR 8,116.42 million) massive project on Great Nicobar Island, the government is looking for an additional 100 acres of forests rich in biodiversity.<sup>[37]</sup> The Shompen and Nicobarese, two Indigenous communities that the Indian government has designated as "PVTGs," are in danger of going extinct due to the project. In 2028, the International Container Transshipment Port (ICTP) project's first phase will be put into service. By August 2024, eleven parties had expressed interest in the international transshipment port project in Great Nicobar Island, and the government is currently completing the Detailed Project Report.<sup>[38]</sup> In addition to ICTP, three other elements entail constructing a community, a power plant, and an international airport on 16,610 hectares of the island.<sup>[39]</sup> A High-Powered Committee (HPC) was established in 2023 to review the project's environment clearance (EC) after the National Green Tribunal (NGT) found certain flaws.<sup>[40]</sup> The NGT, however, declined to intervene with the forest or environmental clearances, citing the project's importance for national security, defense, and economic development.<sup>[41]</sup> Since the

project is being carried out without "previous consultation with the NCST," the National Commission for Scheduled Tribes (NCST) also became involved and ordered the Andaman and Nicobar Islands administration to present facts and an action-taken report.<sup>[42]</sup> Additionally, the Indian government neglected to provide any information to the UN Committee on the Elimination of Racial Discrimination (CERD Committee), which used its early warning system to step in.<sup>[43]</sup> The CERD Committee encouraged the Indian government "to adopt all necessary measures to resolve the charges listed above and to defend the rights of the PVTGs in Andaman and Nicobar Islands" in December 2023, expressing sorrow over India's lack of response.<sup>[44]</sup> The opposition Congress called the Great Nicobar Island infrastructure project a "recipe for ecological and humanitarian calamity" on January 5, 2025, and demanded that it be put on hold so that an impartial panel could examine it.

On October 17, indigenous groups in Chhattisgarh's Hasdeo Arand forest clashed with the police as they tried to stop the authorities from felling trees for coal mining. Ten tribal people were arrested by the police for attempted murder and rioting, and two police officers who were part of the security cover given to forest officials were injured by arrows.<sup>[45]</sup> The conflict started after the Adani Group's Parsa coal block project, which was granted to Rajasthan Rajya Vidyut Utpadan Nigam Limited (RVUNL), restarted tree-felling in the vicinity of Fatehpur and Sali villages in Surguja district.<sup>[46]</sup>

For Indigenous groups, forests are essential to their way of life and customs. Indigenous groups, however, frequently face penalties. The Odisha government ordered the removal of more than 48,000 minor complaints against tribal people that were filed under various excise, forest, and government land encroachment act provisions on February 21. The excise department registered 36,581 of these incidents, the housing and urban development department registered 9,846, and the forest and environment department registered 1,591. In these instances, minor forest produce (MFP) was gathered for both domestic use and local market sales.<sup>[47]</sup> The process of evicting Indigenous Peoples or purchasing property for infrastructural and commercial development frequently violates their rights. On June 19, the National Tiger Conservation Authority (NTCA) issued an order instructing the Chief Wildlife Wardens of 18 States to "prioritize" the summary involuntary relocation or forcible eviction of 89,800 tribal and forest-dwelling families from 848 villages located within the core areas of 54 tiger reserves nationwide. The current decree would cause one of the greatest population displacements in history in the name of conservation if it were to be put into effect. In addition to endangering the livelihood of one of the most disadvantaged groups, this order violates a number of legal protections afforded to tribal communities, such as the Wildlife Protection Act of 1972 and the 2006 Forest Rights Act.<sup>[48]</sup> Following a petition from more than 150 tribal rights organizations and people calling for a reversal of the NTCA's order, the National Commission for Scheduled Tribes requested reports on the relocation problem from the NTCA and the Ministry of Environment, Forest, and Climate Change in October.<sup>[49]</sup> The matter is being decided. Following the Supreme Court of India's decision on September 17, 2024, to end the criminal proceedings against thirty Indian Army personnel involved in the Oting

Massacre on December 4, 2021 a blatant violation of human rights and another step backward in the pursuit of justice and accountability the commitment to work toward providing a culturally relevant, restorative, and holistic system of justice for Indigenous Peoples came to nothing and caused distress.<sup>[50]</sup> The State government then filed a Writ Petition (Criminal) in response to the Supreme Court's decision.<sup>[51]</sup> Additionally, a number of emerging community approaches, including mass-based organizations and others, are working hard to ensure that a fair judgment is reached<sup>[52]</sup>. Additionally, if the case is not handled quickly, the families of the victims are left waiting with the burden of carrying the costs of the case proceedings, as well as the stigma that follows an unresolved case. In conclusion, the State can assist in creating long-lasting integrated solutions for Indigenous youth by promoting their crucial role. This is especially true when it comes to accelerating and influencing young mobility and decision-making as the need for solutions grows. Resources and other challenges are serious and deeply ingrained problems for Indigenous populations. One of the ongoing challenges and the way to a peaceful transition is to keep the young people in the system while still offering a viable method to meet their requirements. 2024's events are still full of conflicts.

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