

Union government seeks ‘factual report’ on forest rights complaint concerning Nicobar project

Tribal Affairs Ministry has written to the Chief Secretary of Andaman and Nicobar Islands seeking report on a complaint that the administration falsely certified completing identification and settlement of forest rights

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Aerial view of Andaman and Nicobar Islands. | Photo Credit: Getty Images/iStockphoto

The Union government has sought a “factual report” from the Andaman and Nicobar Islands administration on points raised in the Tribal Council of Little and Great Nicobar’s complaint that forest rights had not been settled before diverting around

13,000 hectares of forests for the ₹81,000-crore Great Nicobar Island project in August 2022.

Last month, *The Hindu* reported about the complaint to Tribal Affairs Minister Jual Oram, flagging that the administration had made a “false” representation to the Centre in certifying that all rights under the Forest Rights Act (FRA) of 2006 had been identified and settled before diverting the required forest land for the project in a 2022 certificate.

The council added that its consent had been “obtained under pressure” and withdrawn formally soon after in a letter to the government. The certificate, issued in August 2022, contradicted the administration’s position in monthly FRA progress reports to the Tribal Affairs Ministry, where it has argued that it does not need to implement the Act.

In a letter to the Chief Secretary of the Union Territory on Monday (September 8, 2025), the Ministry has asked for a “factual report addressing each of the points raised in the said news report and the letter of Tribal Council”.

The Ministry said that it had received the letter from the Tribal Council, “raising the issue that the Forest rights guaranteed to the Nicobarese in Great Nicobar Island have not been settled under the Forest Rights Act, 2006, and Nicobarese have not consented to diversion of forest lands for ‘Holistic Development of Great Nicobar Island’”.

Soon after taking charge in 2024, Mr. Oram told *The Hindu* that the Ministry would look into the issues raised by them. Earlier this year, he said concerns over the project are being “examined” without going into details.

Weeks after sending the complaint to Mr. Oram in July this year, the Tribal Council said it had received no response or acknowledgement. The council then wrote to the Leader of the Opposition, Rahul Gandhi, on August 26, flagging the authorities’ “refusal” to engage in dialogue with them.

This prompted Mr. Gandhi to write to Mr. Oram last week, urging his office to examine the concerns raised by the council, further stressing that the FRA should be implemented in its true spirit. On Monday, Congress Parliamentary Party Chairperson

Sonia Gandhi criticised the Union government over this project, calling it a “planned misadventure”.

After sending the complaint to Mr. Oram, a member of the Tribal Council told *The Hindu* that it had recently been made aware of the August 18, 2022, certificate issued by the Deputy Commissioner of Nicobar, certifying, “The complete process for identification and settlement of rights under the FRA has been carried out for the entire protected forest area of 121.87 sq. km and deemed forest of 8.8 sq. km falling under project of holistic development of Great Nicobar Islands.”

But the Tribal Council said that the process of identification and settlement of rights under the FRA “has not even been initiated”.

According to the monthly progress reports, mandated to be filed under the FRA, the Andaman and Nicobar Islands administration has maintained that it does not need to implement the law, arguing that tribespeople’s rights to the forest were already protected on the Islands under the Protection of Aboriginal Tribes Act, 1956 (PAT56). PAT56 gives the local administration unilateral authority to divert forest land, whereas the FRA mandates consent to be obtained from the Gram Sabhas concerned after recognising and vesting rights in them.

The infrastructure project on the island has been mired in controversy since it received preliminary in-principle clearances in 2022. Soon after the project was said to have secured the consent of local tribespeople, the Tribal Council of Little and Great Nicobar withdrew the consent it was said to have granted. The National Green Tribunal and the National Commission for Scheduled Tribes had subsequently flagged concerns over alleged violation of consent procedures and the environmental impact of the project.

In their complaint to Mr. Oram, the Tribal Council also noted that Nicobarese people whose ancestral villages will be affected by the project were not represented at the purported Gram Sabha meeting in 2022. It went on to say that the Shompen, a Particularly Vulnerable Tribal Group, cannot be represented through officers of the Andaman Adim Janjati Vikas Samiti, which is a body functioning under the administration.

The Union government has maintained that due process was followed in the forest clearances for the project, even as a petition challenging the clearances is being heard in the Calcutta High Court.

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