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India Risk Mitigation Guide

Timber



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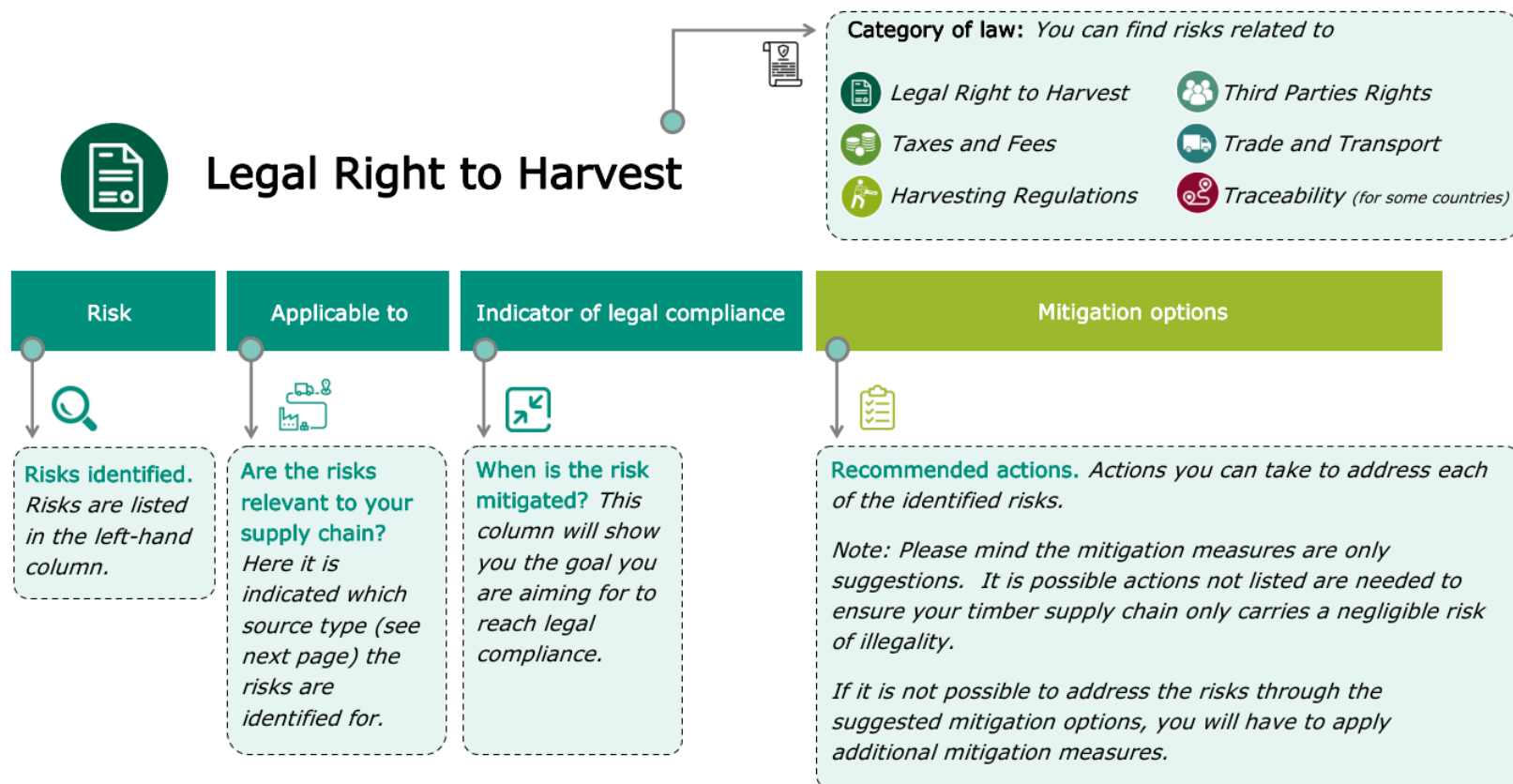


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India Forestry Risk Mitigation Guide

This guide provides a series of mitigation options to assure low risk of illegality of timber harvested in India. The guide relates only to timber harvested in India – not to material imported into India.



Timber Source Types

To understand what risks are relevant to your supply chain, you will first need to identify the origin of your timber. In general, it is often helpful to know not only the country of origin, but also other information about the origin, such as legal ownership, management regime, forest classification and permits to select the Timber Source Type(s) that applies to your supply chain. Identifying the right Timber Source Type is important to detail which risks relate to your supply chain and your timber products and how you can mitigate them.

Definitions used for Timber Source Types in India:

Government Reserved Forests/ Unclassed Forests	Timber from Government Reserved Forests/ Unclassed Forests (can be natural forests, plantations, degraded areas or barren land), managed solely by the State Forest Department or jointly by the State Forest Department and local communities through Joint Forest Management Committees (JFMCs). May only be harvested by Forest Department. Forest Working Plans (Forest Management Prescriptions as per the National Working Plan Code for a period of ten years) must be in place, and consignments must be accompanied by a transit pass which details the origin and destination of the consignment.
Private plantations	Timber from private plantations, including block plantations, agroforestry plantations, farm forestry plantations, industrial plantations, etc. Permits are required from Forest Department or local panchayats (local elected representative bodies) as per harvesting rules for specific species. A harvest permission letter from Forest Department/ local government (panchayat) head is required, but the requirement for a transit pass is optional as per transit rules. In cases where the transit pass requirement is waived, substitute documents such as Agricultural Produce Market Committee (APMC) tax receipts are considered legal documents.

General Risk Level and mitigation needs

Risk	Potential mitigation actions
<p>There is a generally high level of risk in India. Below we have listed specific risks that we have identified. Still, due to a high level of perceived corruption (CPI 40/100 in 2021), we generally advise a full evaluation of legal compliance at the forest and processing factories level or all aspects of law within India.</p> <p>Maoist insurgencies, separatist and armed conflicts have always been a never-ending problem in India. States like Andhra Pradesh, Chhattisgarh, Jharkhand, West Bengal, Odisha, Bihar, Maharashtra, Mizoram, Manipur, Nagaland, Tripura, Assam and Meghalaya have been victims of internal Maoist insurgencies and border conflicts. The main reason for Maoist insurgencies is the deprivation of rights of the traditional forest dwellers and Indigenous people. The separatist armed conflicts occur in the state bordering other countries like China, Bangladesh and Pakistan. So, armed conflict is a major risk in the forest sector of India. See the map with the states where armed conflicts are present and read more information in Annex I. For evaluating the legal requirements of documents, please see the Document Guide.</p>	<p>For mitigating risks in India, the following types of risk mitigation measures are recommended:</p> <ul style="list-style-type: none"> • Supply chain mapping back to forest level • Document Review • Onsite verification • Stakeholders' consultation <p>We stress the need for thorough onsite verification to mitigate risks in India effectively.</p> <p>It is recommended to seek professional advice and support from the EU Monitoring Organisation and organizations such as Certification bodies with knowledge of the country and forest sector to conduct onsite verification.</p>

¹ CPI, 2021. Available at: <https://www.transparency.org/en/cpi/2020/index/gng>



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Legal Rights to Harvest

Risk	Applicable to	Indicator of legal compliance	Mitigation options
<p>Violent armed conflict, including that which threatens national or regional security and/or linked to military control (1.1, 1.4, 1.13, 1.14)</p>	<p>Government Reserved Forests/ Unclassed Forests</p>	<p>Legitimate compliance with land tenure and harvesting legislation</p>	<p>Extra care shall be taken when sourcing from the states where armed conflicts are present (Andhra Pradesh, Chhattisgarh, Jharkhand, West Bengal, Odisha, Bihar, Maharashtra, Mizoram, Manipur, Nagaland, Tripura, Assam and Meghalaya). Thus, it is important to trace the origin of the material.</p> <p>To trace the origin, review and verify following documents:</p> <ul style="list-style-type: none"> • Transport permits • Harvesting permits • Invoices • Certificate of Origin

			<p>Stakeholder Consultation onsite:</p> <ul style="list-style-type: none"> • Government authorities, NGOs – regarding armed conflicts, if there is a particular area in the state controlled by armed groups (Naxalbari group) • Local communities, media - validate the information provided by the government and get their perspective of the situation <p>Read more information about state specific situation regarding these risks in the Annex I</p>
<p>Encroachment on forest land (1.1)</p>	<p>Government Reserved Forests/ Unclassed Forests and Private Plantations</p>	<p>There shall be no encroachment (conversion) on the forest land: -No agriculture or housing shall be established within the forest -No resorts and other hospitality-related activities should be encouraged</p>	<p>Check the legal aspect of the land registration of the forest or plantation from which the trees are harvested. This can be done by getting the land documents verified by a land legal Expert/lawyer.</p> <p>Review documents and verify:</p> <ul style="list-style-type: none"> • <u>Land registration documents</u> and the <u>land maps</u> should be verified to cross-check the land boundaries with the forest boundaries in-order to verify encroachment into the forest land <p>Onsite verification:</p> <ul style="list-style-type: none"> • Visit <u>land area</u> and compare the information on the ground with land registration documents and land maps – check that timber was harvested only in the area defined in land maps <p>Stakeholder Consultation:</p>

			<ul style="list-style-type: none"> Consult local land experts, local forest department, local communities about the risk of encroachment in the area.
Lack of Harvesting Permit (1.4)	Government Reserved Forests/ Unclassed Forests and Private Plantations	The forest management enterprise shall hold a harvesting permit	<p>Check the relevant state legal requirements related to harvesting permits:</p> <p>After identifying state-specific requirements, proceed with:</p> <p>Review documents and verify:</p> <ul style="list-style-type: none"> A harvesting plan and inventory documents which are required for the harvesting permit application Harvesting plan <p>Onsite verification:</p> <ul style="list-style-type: none"> Carry out onsite sample checks/verifications to assess declared information in the harvesting permit with the actual data



Taxes and Fees

Risk	Applicable to	Indicator of legal compliance	Mitigation options
Under-invoicing the total turnover – meaning that goods and services taxes are calculated	Government Reserved Forests/ Unclassed Forests Private Plantations	Taxes shall be determined based on the exact value of the	<p>Review documents and verify:</p> <ul style="list-style-type: none"> Collecting documents like the <u>purchase invoices</u> and <u>sales invoices</u> and checking the documents in detail for

based on false sales and purchase figures (1.5)

purchase and sales figure

- Quantities, Species and Quality purchased and sold
- Compare the purchase and sale price with the market price to ensure that there has been no under-invoicing.

- GST invoices are valid.

Request copies of GST invoices for products sold or traded along the relevant supply chain and check that they compare correctly against corresponding documents regarding product descriptions, volumes, qualities, and species. Other relevant documents include delivery notes, contracts, bills of lading etc. Sales prices shall be in line with the market price. Verify information through database confirmation (See below).

Database confirmation:

- Verify GST invoices on the Taxation authority's GST database: www.gst.gov.in. Step 1: Go to the website and click on 'Search Taxpayer' and 'Search by GSTIN/UIN'. Step 2: Input the GSTIN and then click 'Search'

If information is verified through the database, this will indicate that GST has been paid correctly by the companies.

All information included in the copy of the GST invoice must be identical to information found in the

			<p>database, including production descriptions, volumes, qualities, species, date, invoice number, etc.</p> <p>Stakeholder Consultation:</p> <ul style="list-style-type: none">• Suppliers: Verify and check the purchase invoices with the suppliers and compare the rates with the actual market purchase price of the commodity obtained from credible market sources.• Customer: Verify and check the sales invoices with the customer and compare the rates with the actual market sale price of the commodity obtained from credible market sources.• Representative & Auditor of the Organization: Verify and check the Annual Turnover Details declared by the organization with documented proof like the audited balance sheets. Conduct an interview with the organization's auditor and cross check the turnover details mentioned in the audited balance sheets.• Interviews with the Tax authorities to check the organizations compliance to taxation and credibility check.• Consultations with external agencies which may check the credibility of the company and verification and checking of financial risk assessment documents provided by the agencies like the organization's banks and other funding agencies.
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Harvesting Fees and Transport Permit Fees not paid correctly (1.5)	Government Reserved Forests/ Unclassed Forests Private Plantations	Harvesting Fees and Transport Permit Fees shall be paid on harvested timber	Review documents and verify: <ul style="list-style-type: none"> • Harvesting Fees Payment Receipt • Transport Permit Fees Payment Receipt
Non – payment of the goods and services taxes (1.6)	Government Reserved Forests/ Unclassed Forests Private Plantations	All transaction on timber shall be legitimate and taxed	Review documents and verify: Verify that company is legally registered: <ul style="list-style-type: none"> • GST Certificate • Factory License • Import Export Code • GST Invoices
Non-Payment of Tax Collected at source (TCS) for timber (1.6)	Private Plantations	Tax collected at source shall be paid by processing and trading companies for the domestic market (excluding exporters)	Review documents and verify: <ul style="list-style-type: none"> • GST tax invoices - check for 2.5% of the invoice value as payment for the Tax Collected at Source (TCS) for any Business-to-Business transactions
Non-payment of Income tax (1.7)	Private Plantations	Income tax shall be paid	Review documents and verify: <ul style="list-style-type: none"> • Proof/receipt of income tax payment issued by the tax office



Timber Harvesting Activities

Risk	Applicable to	Indicator of legal compliance	Mitigation options
<p>Timber harvested beyond the authorized volume and below the minimum felling diameter (1.8)</p>	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>Timber harvesting shall be carried out as per the conditions of the harvesting permit and shall not be harvested beyond the authorized volume and below the minimum felling diameter</p>	<p>Review documents and verify: Check <u>authorized volume</u> and <u>felling diameter</u> in the following documents:</p> <ul style="list-style-type: none"> • Harvesting plan submitted for harvesting permit application • Inventory documents from field verification done by forest officer • Harvesting Permit • Annual Operations Plan • Site logbooks and wood production declaration documents • Reports of field inspection conducted by the forest administration • Reports from independent observers <p>Onsite verification:</p> <ul style="list-style-type: none"> • Checking the validity of the information obtained through documentation review in the field by visiting and observing the harvested site. <p>Stakeholder Consultation:</p>

			<ul style="list-style-type: none"> • Civil Society, Local Communities, Independent Observers, NGO's, Media representatives etc. to confirm the harvesting volume and the felling diameter.
<p>Non- authorized and protected species are harvested (1.8, 1.9)</p>	<p>Government Reserved Forests/ Unclassed Forests</p>	<p>Non- authorized timber species - timber species beyond the conditions on the harvesting permit.</p> <p>Also protected species - scheduled (banned to be traded) or CITES protected species like sandalwood, red-sanders, rosewood etc.) shall not be harvested.</p>	<p>Review documents and verify: Verify species harvested in the following documents - species harvested should correlate with the species specified the following documents:</p> <ul style="list-style-type: none"> • Valid harvest permit • Site logbooks and wood production declaration documents • Reports of field inspection conducted by the forest administration • Reports from independent observers • If applicable, CITES permit and Directorate General of Foreign Trade (DGFT) Approval. <p>Onsite verification:</p> <ul style="list-style-type: none"> • Visit a harvesting site to confirm that the species that have been harvested correlate with the documents above. <p>Stakeholder Consultation:</p> <ul style="list-style-type: none"> • Non-authorized or protected species differ from state to state, thus it is important to consult with relevant State Forest Department or check it's website for the list of species. • Civil Society, Local Communities, Independent Observers, NGO's, Media representatives etc., to

			<p>check the species harvested and confirm that non-authorized or protected species are not harvested.</p>
<p>Lack of appropriate implementation of the Working Plan (1.10)</p>	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>The state Working Plan shall be implemented properly</p>	<p>Review documents and verify: Cross-check the following documents to validate the information on the Working Plan: <u>allowable volume</u> and the <u>species</u> that can be harvested:</p> <ul style="list-style-type: none"> • Harvesting plan and inventory documents before harvesting permit application • Harvesting Permit • Annual Operations Plan • Site logbooks and wood production declaration documents • Reports of field inspection conducted by the forest administration • Reports from independent observers • CITES permit and Directorate General of Foreign Trade (DGFT) Approval (if relevant) <p>Onsite Verification:</p> <ul style="list-style-type: none"> • Checking the validity of the information obtained through documentation review in the field by visiting and observing the harvested site. <p>Stakeholder Consultation:</p> <ul style="list-style-type: none"> • Civil Society, Local Communities, Independent Observers, NGO's, Media representatives etc.

<p>Un-availability and lack of use of Personal Protective Equipment's (PPE's) (1.11)</p>	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>PPE's must be available and used by workers during timber harvesting activities</p>	<p>Review of documents and verification:</p> <ul style="list-style-type: none"> • Purchase Invoices for PPE's <p>Onsite Verification:</p> <ul style="list-style-type: none"> • Visits to Forest Management Enterprise and harvesting sites shall verify that PPE is available and used by workers <p>Stakeholder Consultation:</p> <ul style="list-style-type: none"> • Interview staff and workers regarding PPE's usage
<p>Lack of Health and Safety procedures training among the workers (1.11)</p>	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>Health and Safety procedures must be followed</p>	<p>Review of documents and verification:</p> <ul style="list-style-type: none"> • Health and Safety Training Records <p>Onsite Verification:</p> <ul style="list-style-type: none"> • Verify that health and safety training procedures are in place. <p>Stakeholder consultation:</p> <ul style="list-style-type: none"> • Interview staff and workers regarding safety procedures and participation in training
<p>Non-payment of minimum wages (1.12)</p>	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>Minimum wages shall be paid for the workers</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • Check and verify <u>employee's payment slip</u> and <u>bank statements</u> to check monthly salary transfer. <p>Stakeholder consultation:</p> <ul style="list-style-type: none"> • Interview employees regarding payment of minimum wages

<p>Involvement of child labour in forest management activities (1.12)</p>	<p>Private Plantations</p>	<p>Child Labour for any activity shall be prohibited and national child labour laws shall be complied</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • Check and verify organizations <u>prohibition of child labor policy</u>, • Verify the employee's documents like <u>employee's master sheet with age, birth certificate, master sheets</u> to verify that children are not employed. <p>Onsite verification:</p> <ul style="list-style-type: none"> • Verify that children are not working on the site
<p>Incidences of bonded labour (1.12)</p>	<p>Private Plantations</p>	<p>Worker shall be employed following legal requirements</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • Check organizations <u>policies on bonded labor and employment contracts</u>. • Check employee's documents like <u>birth certificate and master sheets</u> with the <u>actual employee's contact</u> <p>Onsite verification:</p> <ul style="list-style-type: none"> • Verify that legal employment contracts correspond with employees working onsite. <p>Stakeholder consultation:</p> <ul style="list-style-type: none"> • Interview with employees regarding bonded labour and employment contracts.



Third Parties' Rights

Risk	Applicable to	Indicator of legal compliance	Mitigation options
<p>Overuse of forest resources due to industrial logging, infrastructure development projects (Dams, Highways etc.) or mining threatens the rights of traditional forest dwellers (1.13)</p>	<p>Government Reserved Forests/ Unclassed Forests</p>	<p>Contracts signed between corporates and government with regards to using forest resources should be strictly implemented to ensure sustainable harvest and protection of the rights of traditional forest dwellers</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> Contracts signed between corporates and government can be accessed through the Right to Information Act, 2005: https://rti.gov.in/. They could be checked and verified for the details like the location of the project, the project area, volumes agreed to harvest etc. <p>Onsite verification:</p> <ul style="list-style-type: none"> Validate that information obtained about contracts (location of the project, the project area, volumes agreed to harvest etc.) corresponds to information in the field <p>Stakeholder Consultation : Consult following stakeholders about information obtained about contracts:</p> <ul style="list-style-type: none"> Affected local community representatives Mandated independent observers Civil Society Players (Local NGO's, Local village groups) Government Authorities In-charge of the Project.

			<ul style="list-style-type: none"> • Industry Representatives
<p>Deprivation of the rights of forest dwelling schedule tribes and other traditional forest dwellers:</p> <ol style="list-style-type: none"> 1) To hold and live in the forest land for habitation or for self-cultivation for livelihood. 2) Ownership and access to collect, use, and dispose minor forest products. 3) Deprivation of Community rights and right of entitlement such as fish and other products of water bodies. 4) Deprivation of Habitat rights for primitive tribal groups and pre-agricultural communities. 5) Deprivation of right to protect, regenerate or conserve any community forest resource which they have been traditionally protecting and conserving for sustainable use. 6) Deprivation of right to in-situ rehabilitation in cases of illegal eviction or displacement. 7) Deprivation of rights of settlement and conversion of all 	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>Rights of Forest Dwelling Schedule Tribes and other Traditional Forest Dwellers shall be preserved and protected.</p>	<p>Review documents and verify: Contracts and plans, environmental-impact assessment and social-economic assessment report of the government or private companies with regards to deprivation of the forest rights of forest dwelling schedule tribes and other traditional forest dwellers like eviction, un-sustainable land use in specific area etc. can be accessed through the Right to Information Act, 2005: https://rti.gov.in/.</p> <p>The process is the following:</p> <ol style="list-style-type: none"> 1) An applicant who desires to obtain any information under the RTI Act can make a request through this Web Portal to the Ministries/Departments of Government of India. 2) On clicking at "Submit Request", the applicant has to fill the required details on the page that will appear. The fields marked * are mandatory while the others are optional. 3) After filling the first page, the applicant has to click on "Make Payment" to make payment of the prescribed fee. 4) The applicant can pay the prescribed fee through the following modes: (a) Internet banking; (b) Using credit/debit card of Master/Visa; (c) Using RuPay Card. 5) After making payment, an application can be submitted.

forest villages, old habitation into revenue villages (1.13, 1.14 & 1.15).

6) On submission of an application, a unique registration number would be issued, which may be referred by the applicant for any references in future
7) Status of the RTI application/first appeal filed online can be seen by the applicant/appellant by clicking at "View Status".

Onsite verification:

- Documents can be checked and verified for the finer details and can further be validated through onsite visits and stakeholder consultations.

Stakeholder consultation:

- Affected local community of forest dwelling scheduled tribes/ other tradition forest dweller's representatives
- Mandated independent observers (press, or NGO, media)
- Civil Society Players (Local NGO's, Local village groups)
- Government Authorities in-charge of the specific Contract or the Plan.



Trade and Transport

Risk	Applicable to	Indicator of legal compliance	Mitigation options
False declarations are made regarding species and their volume in the Harvesting Permit and Site Logbook in the harvesting site (1.16)	Government Reserved Forests/ Unclassed Forests Private Plantations	Harvested timber shall be correctly recorded in the Harvesting Permit and Stock Book	<p>Review documents and verify: Documentation relating to logging operations and transportation of logs and sawn timber shall be well maintained and coherent. The species and quantities recorded in the following documents shall match :</p> <ul style="list-style-type: none"> • Harvest Permit • Stock Book • Transport Permit • Invoices and E-waybill <p>Stakeholder consultation:</p> <ul style="list-style-type: none"> • Forest experts/Civil Society and independent observers for advanced checks into traceability from the logging sites <p>Conduct targeted timber testing (on samples of purchased material to verify the species of timber). See Preferred by Nature's Guide on Timber Testing Techniques</p>
False declarations are made regarding species and their volume on transport permit (1.16, 1.17)	Government Reserved Forests/ Unclassed Forests Private Plantations	Species and volumes shall be correctly recorded on the transport permit	
Transportation of timber from quarantine phytosanitary zones	Government Reserved Forests/	Timber from quarantine zones shall	<p>Check online database:</p>

<p>without a valid phytosanitary certificate (1.17)</p>	<p>Unclassed Forests Private Plantations</p>	<p>be accompanied by quarantine phytosanitary certificates</p>	<ul style="list-style-type: none"> • Search for information on phytosanitary quarantine restrictions in relation to quarantine objects inherent in timber (E.g., Fungi, insects), in places where timber is harvested, stored, and processed using official website of legal authorities (i.e., https://plantquarantineindia.nic.in) <p>Stakeholder Consultation:</p> <ul style="list-style-type: none"> • In case of lack of information on the official websites, consult with authorities on the phytosanitary quarantine restrictions in relation to quarantine objects inherent in timber, in places where timber is harvested, stored and processed. <p>Review and verify documents:</p> <ul style="list-style-type: none"> • Request Phytosanitary certificates from supplier or sub-supplier • Verify the Phytosanitary certificates for finer details.
<p>Risk of timber export bypassing official customs checkpoints (1.19)</p>	<p>Government Reserved Forests/ Unclassed Forests Private Plantations</p>	<p>Timber shall be exported through official custom check points</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • Valid custom declaration, phytosanitary certificate and trade and shipping documents to confirm that timber was exported through official custom check points. <p>Onsite Verification:</p>

			<ul style="list-style-type: none"> Visit custom checkpoints and consult with custom authorities to confirm validity of documents that timber is exported officially
False reporting (smuggling) of CITES species (1.19)	Government Reserved Forests/ Unclassed Forests and Private Plantations	CITES species shall be correctly declared	<p>Review and verify documents:</p> <ul style="list-style-type: none"> CITES Permit Valid custom declaration to confirm that timber was exported through official custom check points. A phytosanitary certificate Trade and shipping documents. DGFT (Director General for Foreign Trade) Approval and CITES Certificate. <p>Conduct targeted timber testing (on samples of purchased material to verify the species or origin of timber). See Preferred by Nature's Guide on Timber Testing Technique</p>
Illegal exports of CITES species (1.20)	Government Reserved Forests/ Unclassed Forests and Private Plantations	CITES species shall be exported following legal requirements	

Annex I. Timber producing states with present armed conflicts

General overview - India's Maoist Insurgency

India is a victim of some of the longest and most lethal homegrown insurgencies like the "The Maoist Movement". The Telangana peasant rebellion (1946-51) in our country was the origin for Left-Wing Extremism. Peasants, Landless Labourers, and Adivasis with their lathis, arrows and bows on the 25th May 1967 undertook daring raids of the granaries of a landlord at the Naxalbari village of West Bengal. This rebellion gave birth to what is called as Naxalbari movement. The Naxalbari's quickly found support not only amongst nearby villages, but also from the People's Republic of China. The founders of the Naxalbari Movement were inspired by China's founding father Mao Zedong and his tactics to capture political power.

Andhra Pradesh

Maoist insurgency in Andhra Pradesh was witnessed as early as 1990's. Some of the districts of the state dominated by the Communist Party of India (Maoist-Leninist) faction include North Telangana districts of Adilabad, Nizamabad, Karimnagar, Warangal and Khammam. The insurgency movement in the state was so strong that they succeeded in eliminating top political leaders of the state and in 2003 there was an attempt to kill the Chief Minister Chandrababu Naidu, who narrowly escaped. The state has used counter-insurgency strategies like "winning hearts and minds" as mitigation measures, wherein, they undertake development and good-governance measures to address the grievances of civilian population like tribal communities sympathetic to the causes of the insurgents. The Scheme Indiramma (Mother Indira) introduced by the state covered every village panchayat to provide healthcare, education, clean drinking water, pucca houses with sanitation facilities, electricity connection and road infrastructure.

Chhattisgarh

The Maoist insurgency in India has its epicentre as Chhattisgarh. Out of a total of 27 districts, close to 18 districts were under the direct influence of Naxalites. The Bastar region – made up of the Dantewada, Bijapur, Narayanpur, Bastar and Kanker were the nerve centres of Maoist militancy in India. In 2010, the Chitalnar massacre which led to the killing of 76 CRPF soldiers were one of the most daring attacks executed by the Naxalites of Chhattisgarh. In 2013, they executed killing of top leaders of the Indian National Congress, which included the party head for the state Mr. Nanda Kumar Patel. In 2018, the state executed and completed 11 key road projects connecting the Sukma, Bijapur and the Jagdalpur district. The state has enhanced the combat capacity of local police through modernization and fortified

police stations and improved coordination between the Centre and state in intelligence and paramilitary support. However, the Maoist threat remains to be a serious concern for the state.

Jharkhand

The state of Jharkhand was carved out of the state of Bihar in the year 2000. Bihar, a mineral-rich state with substantial Adivasi populations has remained a laboratory for a parallel system of government which the Maoist have attempted to establish. There have been various incidences of violence and casualties and attacks on economic infrastructure and state symbols like police stations and jails. Since the early 2000's, the forested region of Saranda, a Maoist stronghold, was recaptured by the Jharkhand's state forces. The Central government immediately framed the Saranda Development Plan in 2012. The government is investing in the construction of infrastructure including roads, bridges, schools, panchayat buildings and block offices. The Naxalites in Jharkhand had as many as 13 districts across the state, the number is now down to four (i.e., Hazaribagh, Palamu, Latehar and Ranchi).

West Bengal

The state of West Bengal was the birthplace of Naxalite uprising as early as 1967. In early 2000's, the CPI-Maoists had spread over as many as 18 districts, areas under 20 police stations in Paschim Medinipur, Bankura and Purulia districts witnesses intense Maoist activity. In 2009, the Naxal's in Lalgarh engaged the state forces in an open battle. The Naxals also played an important role in Nandigram and Singur. The West Bengal government overhauled the security strategy by setting up an elite police team, they offered a surrender and rehabilitation package to the rebels, promising jobs and entrepreneurial opportunities to those who would surrender. They also pursued campaigns for comprehensive confidence-building measures among the people lining in the Maoist-infested Jangalmahal region comprising the districts of Purulia, West Midnapore and Bankura. The state government has reported that more than 250 Maoist have surrendered before the state police between 2014 and 2018. However, there is one district named Jhargram which is highly affected by the insurgency.

Odisha

Odisha was a peaceful state until the late 1990's when it started witnessing a rapid spurt in Left-wing extremism particularly in the most backward regions that are home to large Adivasi populations. The Maoist influence stretched to over 22 of the 30 districts by late 2000's. The main Maoist activities were in the most backward and forested, mineral rich districts with huge Adivasi population like Koraput, Malkanagiri, Nabarangapur, Rayagada, Gajapati, Kandhmal, Ganjam and Keonjhar. The Maoist launched attacks to paralyze governance systems and disrupt economic activity. They also protested several projects like the Niyamgiri and POSCO projects on the issue of land acquisition and mining rights. In the year 2008, the insurgents launched an attack in Balimela near AP-Odisha border killing 37 Greyhounds soldiers and the Nayagarh incident jolted the state administration. The state responded to this by fortifying police stations, giving the police

officers rigorous training and announced suitable incentive packages for personal involved in anti-Maoist operations. The state recruited thousands of tribal youths from the insurgency affected areas as Special Police Officers (SPOs) and opened training schools in seven police ranges. The state also made efforts to conduct food rationing, implement a job scheme, construct roads, and undertake livelihood and entitlements-based programmes.

Bihar

The Maoist in Bihar have enjoyed widespread support among the poor and oppressed classes from the 1970s. The main reasons that sustained the insurgency was the states failed land reform and the lack of law and order in the state. In 2004, with the merger of the dominant MCC, the Communist Party of India (ML) Liberation and other splinter rebel groups the Naxalite movement became more stronger in Bihar. This consolidation further strengthened their strongholds like Patna, Gaya, Aurangabad, Arwal Bhabhua, Rohtas and Jehanabad in southwester Bihar and helped them spread their base to North Bihar, bordering Nepal. The state has set up counter-insurgency training schools to improve combat operations and fortified the borders with Nepal by investing in infrastructure and improve surveillance to check problems of fake currency, smuggling of narcotics and criminal activities run by Maoists. The state further improved the surrender and rehabilitation policy and implemented speedier trials for captured Maoists. The state further reached out to the Naxal affected districts by revamping the public distribution systems and building infrastructure like schools and hospitals.

Maharashtra

The Maoist in the state currently hold influence in the districts of Gadchiroli and Gondia, which have areas contiguous with the Dandakaranya region of Chhattisgarh and Andhra Pradesh. The state has responded with both security and development components. The state has strengthened the police machinery in Gadchiroli and other Naxal affected areas by providing training and funding modern weaponry and equipment. The state forces have also arrested and prosecuted Maoist sympathizers in the cities framing them as "Urban Naxals". The Urban Naxals include civil liberty activists critical of the state government, who mostly happened to be academic scholars and NGO workers. The state has taken up development schemes like providing healthcare and education in Naxal affected districts.

Mizoram

The main group active in Mizoram is the Mizo National Front (MNF). The Mizoram's tensions were mainly due to the Assamese domination and the neglect of the Mizo people. The insurgency status is classified as partially active, due to the secessionist/autonomy demands by the Chakmas and Brus. The Chakma and Reang tribes complain of religious and ethnic persecution, and complain that the dominant Mizo ethnic group, almost entirely Christians, wants to convert them to Christianity.

Manipur

Manipur became a part of the Indian Union on the 15th October, 1949. This led to the formation of several insurgent organizations seeking the creation of an independent state of Manipur. In the 1980s, Manipur was declared an area of disturbance and the Indian government imposed the Armed Forces (Special Powers) Act, 1958 in the region and the act currently remains in force. The rise of the Naga nationalism in the neighbouring Nagaland led to the emergence of the National Socialist Council of Nagaland (NSCN) activities in Manipur. Clashes between the Isak-Muivah and Khaplang factions of the NSCN further aggravated tensions, as Kuki tribals began creating their own guerrilla groups to protect their interest from Naga violations. The Kuki National Army also maintains one armed wing in Manipur. Other ethnic groups such as the Paite, Vaiphei, Pangals and Hmars followed suit establishing militant groups. The first separatist faction known as the United National Liberation Front was founded in 1964 and between 1977 and 1980, the People's Liberation Army of Manipur (PLA), the People's Revolutionary Party of Kangleipak (PREPAK) and the Kangleipak Communist Party (KCP) were formed.

Nagaland

Nagaland was pronounced the 16th state of the Indian Union in 1963. Before this it was a district of the state of Assam. Naga-Kuki insurgent groups demanded a fully independent state. The National Socialist Council of Nagaland was formed to establish a Greater Nagaland encompassing parts of Manipur, Nagaland and the North Cachar hills (Assam).

Tripura

The insurgent groups in Tripura emerged as an ethnic tension between the Bangladeshi infiltration and the tribal native population who were outnumbered by Bangladeshi people and people from other parts of India. This resulted in the tribal native population reduced to a minority status even threatening them economically, socially, and culturally. This called for safeguarding the tribal rights and culture. The National Liberation Front of Tripura was formed in March 1989 and during the period between 1992 to 2001, a total of 764 civilians and 184 members of the security forces were killed in NLFT attacks. In 2019, they signed the Tripura Peace Accord to end the insurgency. The All-Tripura Tiger Force was formed by local aboriginal tribes in 1990 and their sole aim is the expulsion of all Bangladeshi infiltration nearby Bangladesh.

Assam

For several years, Assam has been a refuge for militants due to its porous borders with Bangladesh and Bhutan and its proximity to Burma. The main causes of the friction include anti-foreigner agitation and indigenous -migrant tensions. Some of the insurgents groups in Assam include Bodo Liberation Tigers Force (BLTF 1996-2003) who fought for autonomy of Bodoland under Prem Singh Brahma and surrendered with the establishment of Bodoland Territorial Council, The National Democratic Front of Bodoland (NDFB 1986-2022) aims to set up an independent nation of Bodoland, United Liberation Front of Assam (ULFA 1990 - present) was formed to establish a sovereign state of Assam for the indigenous people of Assam and Kamtapur Liberation Organization (KLO 1995 – present) want a separate Kamtapur nation.

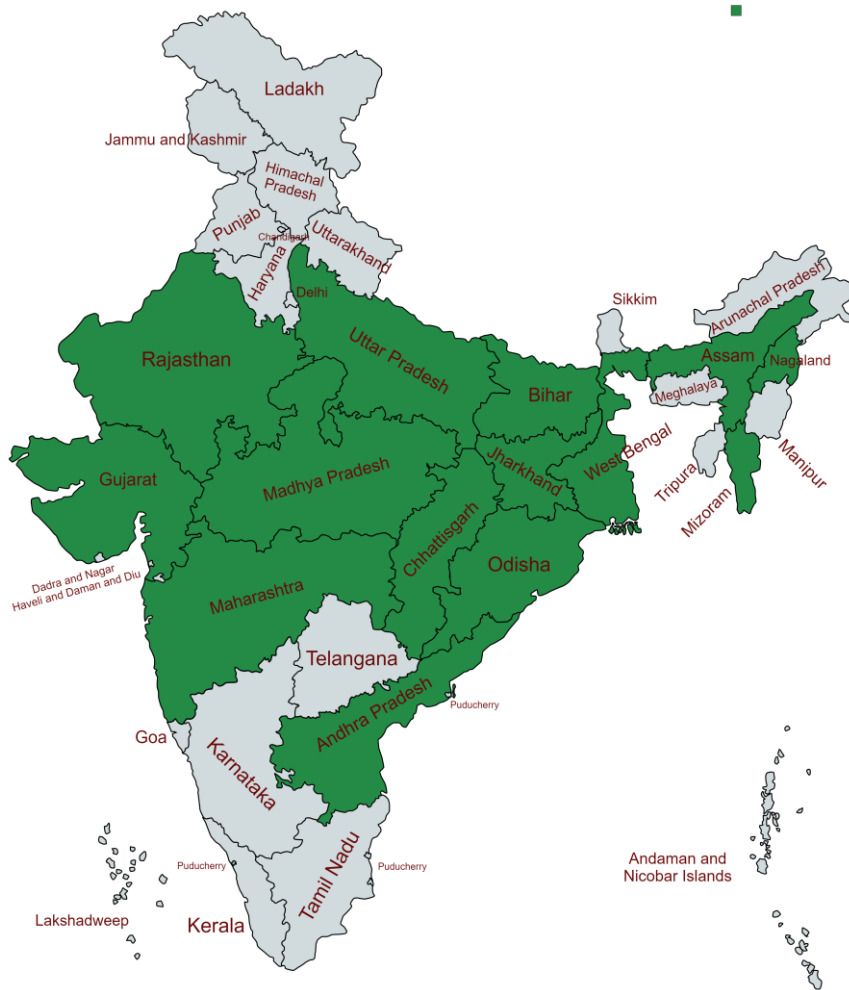
Meghalaya

The state of Meghalaya was separated from the state of Assam to satisfy Khasi, Synteng and Garo's for a separate state. The first militant outfit to emerge in the region was the Hynniewtrep Achik Liberation Council (HALC) which aims to protect the interests of Meghalaya's indigenous population from the rise of non-tribal ("Dkhar") immigration. The HALC was later split due to a conflict of interest between the Garo's and Khasi-Jaintia alliance, which led to the formation of Achik Matgrik Liberation Army (AMLA) by the Garo members, while the Hynniewtrep National Liberation Council (HNLC) claims to represent the Khasi-Jaintia people and aims to free Meghalaya from the domination of Garos and the outsiders (the "Dkhars"). Organizations like ULFA and NDFB have also operated in this region. The Garo National Liberation Army (GNLA 2010 – present) is the most active outfit in the state.

National Response to Insurgency

- a. Modernization of Police Forces
- b. Strengthening Intelligence Networks
- c. Aiding States in Security-Related Infrastructure
- d. Deployment of Central Paramilitary Forces
- e. Special Infrastructure Scheme
- f. SAMADHAN
- g. Ban on the CPI (Maoist) and the UAPA Act, 2009
- h. Strengthening Monitoring and Coordination Mechanisms
- i. Development Programmes

Indian states with present armed conflicts



About LIFE Legal Wood

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