

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
RAJYA SABHA
STARRED QUESTION NO. †*168
TO BE ANSWERED ON 02.08.2018

TITLES UNDER FOREST RIGHTS ACT TO PEOPLE IN GUJARAT

†*168. SHRI RATHWA NARANBHAI JEMLABHAI:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the number of people who have been given titles under Forest Rights Act, 2006 in Gujarat;
- (b) the number of people who have not been given titles despite being eligible for the same so far; and
- (c) the efforts made by Government to provide titles to all the eligible people in Gujarat?

ANSWER

MINISTER OF TRIBAL AFFAIRS
(SHRI JUAL ORAM)

(a) to (c) : A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED QUESTION NO. 168
FOR 02.08.2018 REGARDING TITLES UNDER FOREST RIGHTS ACT TO PEOPLE IN
GUJARAT

(a) & (b) As per information received from the State Government of Gujarat, as on 30.06.2018, out of the total 1,82,869 individual claims received, the number of approved claims for which sanction orders have been issued are 84,402 and number of titles (Adhikar-patra) issued are 83,754. The number of people, who are eligible and have not been given titles are, therefore, 648.

(c) The Ministry of Tribal Affairs (MoTA) has been providing support to States and UTs for effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short, FRA) including creating awareness besides guiding them and hand holding and monitoring its implementation. A brief account of such steps taken by MoTA is furnished in **Annexure**. Further, steps taken by State Government of Gujarat include:

1. Formation of following committees for implementation of FRA: -

- (i) 3,799 Forest Rights Committees (FRCs);
- (ii) 40 Sub Divisional Level Committees (SDLCs);
- (iii) 14 District Level Committee(DLCs); and
- (iv) State Level Monitoring Committee (SLMC);

- 2. 25 orientation programs regarding implementation of FRA have been organized by Tribal Department of the Government of Gujarat through the Tribal Research and Training Institute to Collectors, Sub-Divisional Magistrates, District Forest Officers, Range Forest Officers, Mamlatdars, Deputy-Mamlatdars etc.;
- 3. Government of Gujarat has got published and distributed 10,000 copies of Rules, Guidelines and Booklets and has also distributed 3,00,000 pamphlets/forms regarding FRA;
- 4. Implementation of FRA is reviewed not only by the State level Monitoring Committee but also by the Chief Minister and the Minister of Tribal Department.
- 5. Government of Gujarat has carried out a review of unapproved claims.

Annexure referred to in reply to Part (c) of the Question

Steps taken by Ministry of Tribal Affairs (MoTA) for effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short FRA, 2006)

1. Support provided by MoTA to State Governments

A. Capacity Building to States / UTs

- i. To increase awareness and efficiency, States requested to undertake extensive training programmes for officials and members of institutions, responsible for the implementation of FRA and to use the Geo- referenced database for processing claims towards vesting of rights and maps;
- ii. Issued FAQ to address the questions raised by State Governments regarding FRA, 2006;
- iii. Translation of Act, Rules and clarification into local languages and publication of training modules on FRA for training and guidance;
- iv. Issuance of guidelines, observations, clarifications and direction under Section 12 of FRA, 2006 on various aspects of FRA, 2006;
- v. A dedicated website < <http://www.foresights.nic.in>> has been launched. This site besides containing all documents like Act, Rules and Guidelines etc. also has a self-learning and self-test module.

B. Financial Support for the implementation of the FRA, 2006

Release of funds, from time to time, under TSP (now TSS) and grants under Article 275 (1) for undertaking FRA related activities such as capacity building, training and support for post recognition of rights. (*TSP: Tribal Sub Plan, TSS: Tribal Sub-Scheme*)

2. Follow-up with and directions to State Governments

A. Mechanisms laid down by Government of India for monitoring the progress of implementation of the Act

- i. States/UTs are submitting Monthly Progress Reports and Quarterly Progress Reports as per amended Rules to the Ministry;
- ii. Ministry also reviews the progress by convening meetings of State Secretaries / Commissioners of Tribal Welfare / Development Departments.
- iii. Visits by Ministers and senior officers of the Ministry to States for reviewing the progress of implementation of the Act.
- iv. Organisation of Regional Workshops in order to explain and discuss the amendments in the Forest Right Rules and the guidelines to the officials of the key State Government Departments.
- v. A series of Review-cum-Consultation meetings with States held in which besides reviewing the progress, various issues in its implementation were also discussed and clarification on a number of points given.
- vi. As per FR Amendment Rules, 2012 Government notified, on 6.9.2012, State Level Monitoring Committee is required to meet at least once in three months to monitor the process of recognition, verification and vesting of rights, consider and address the field level problems.

B. Thrust areas redefined

- i. States have been urged to concentrate on Community Rights claims.
- ii. Directions issued to States to *suo moto* review the rejected claims
- iii. Conversion of Forest Villages into Revenue Villages stressed upon and States asked to submit periodic reports to the Ministry.
- iv. States have been requested to provide post-recognition of rights support to the title holders.
- v. States have been requested to ensure that Gram Sabhas are convened in all villages as per Forest Rights Act definitions and Forest Rights Committees formed.

C. Sensitization on new emerging areas

- i. The States sensitized about issues of Critical Wildlife Habitats, CAMPA funds and land banks. (*CAMPA: Compensatory Afforestation Fund Management and Planning Authority*)
- ii. States directed to take necessary steps for reflecting the rights recognized/pattas given under FRA in the records of the revenue department.
- iii. Letters written on 27.7.2015 to States with high rates of rejection of claims, following which they have started reviewing and re-examining the rejected claims.
- iv. On 21.9.2017, letter sent to States to use space technology for creation of geo-referenced database on vesting of rights/ correction of record of rights, for convening Gram Sabhas meeting, suo-motto review of rejected claims and early disposal of all pending claims.
