GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
RAJYA SABHA
UNSTARRED QUESTION NO. 443
TO BE ANSWERED ON 04.02.2021

REJECTION OF FOREST RIGHTS CLAIMS

443. SMT. PHULO DEVI NETAM
SMT. PRIYANKA CHATURVEDI

Will the Minister of TRIBAL AFFAIRS be pleased to state:-

(a) the number of claims filed under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 since March 1st, 2020, till present-day;

(b) the number of claims rejected between March 1st, 2020 up to present-day;

(c) whether claims of persons under the Act are being rejected using findings of a web- based application Van Mitra App which uses satellite maps, instead of consulting Gram Sabhas; and

(d) if so, the details thereof and the reasons therefor?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFIARS
(SMT. RENUKA SINGH SARUTA)

(a) As per The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA in Short), State Governments are responsible for implementation of various provisions of the Act. As per information received from State Governments, **1544** claims have been filed under FRA since 1st March, 2020 till 31st August, 2020.
(b) As per information received from State Governments, 3152 claims have been rejected under FRA since 1st March, 2020 till 31st August, 2020.

(c) & (d) This Ministry has not received report of any such rejection being made by using satellite maps. The satellite imagery are envisaged to be only supplementary information to the other evidence to be produced by the Claimants as per Rule 13 of the rules under the FRA, 2006. This is clearly manifest from Explanation 2 under Rule 12A (11) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rule, 2007 (FR Rules) which provides that the satellite imagery and other uses of technology may supplement other form for evidence and shall not be treated as a replacement.

Further, in exercise of power under Section 11 read with Section 12 of the Act, this Ministry issued Guidelines on implementation of the Act on 12.7.2012 to the State Governments/UTs. The guidelines provide that use of any technology, such as satellite imagery, should be used to supplement evidences tendered by a claimant for consideration of the claim and not to replace other evidences submitted by him in support of his claims.

Subsequently, this Ministry also issued communication to States/UTs, who as per FRA, 2006 are responsible for implementation of the Act, on 28.04.2015 and 27.07.2015 reiterating the same position as also stressing the need for ground verification of claims using GPS/Android phone etc. to identify genuine claimants.

Also as per rule 6(b) of FR Rules, district administration in general and the SDLC in particular are expected to assist the Gram Sabhas and the FRCs by providing forest and revenue maps to them. In this context Geo-referenced maps may be generated and be provided to Gram Sabhas.

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