

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION NO. 3577
TO BE ANSWERED ON 08.08.2017

Conservation of Community Property

3577 COL. SONARAM CHOUDHARY:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) the existing laws in regard to conservation of community property in the country;
- (b) the details of the mechanism at present to conserve community property;
- (c) whether the Government proposes to take effective steps for conservation of community properties and rural economic upliftment and if so, the details thereof;
- (d) whether the Government has any scheme/ proposes to launch a scheme for conservation of Oran- Gochar-Beed; and
- (e) if,so the details thereof?

ANSWER

MINISTER FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(DR. HARSH VARDHAN):

- (a) to (c) There is no provision in the Indian Forest Act, 1927 (IFA) to conserve community property. However under section 28 of the Indian Forest Act, 1927 the State Government may assign to any village- community the rights of Government to or over any land to reserved forests for formation of village-forests. Similarly under section 35 of IFA, the State Government may prohibit certain activities in any forest or waste land for protection of forest.

In addition, "Community forest resource"(CFR) is defined under the section 2(a) of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA, 2006) as customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such a sanctuaries and National Parks to which the community had traditional access. Section 3(1) of the FRA, 2006 recognises and vests the forest rights and occupation of the forest land in individuals and communities of the forest dwelling Scheduled Tribes and other Traditional forest dwellers. Holders of forest rights are empowered under section 5 of FRA to protect the wild life, forest and biodiversity. Under FRA Rules, 4(1) (e) The Gram Sabha can constitute Committees for the protection of wildlife, forest and biodiversity.

There is no law pertaining to wildlife regarding conservation of community property in the country. However, the Section 36 C of the Wildlife (Protection) Act, 1972 provides for creation of Community Reserves, to be declared by the State Government to conserve wildlife and its habitat, in any private or community land, not comprised within a National Park, Sanctuary, or a Conservation Reserve.

- (d & e) There is no scheme/ proposal for conservation of Oran-Gochar- Beed. However, the Centrally Sponsored Scheme- Intensification of Forest Management Scheme implemented by Ministry of Environment, Forest and Climate Change through the States/ Union Territories aims at assisting the States/ Union Territories by providing financial assistance in their efforts to protect the forest and forest resources of the country including survey and demarcation of forest boundaries, strengthening of forest infrastructure, prevention and control of forest fire etc.
