

GOVERNMENT OF INDIA  
(MINISTRY OF TRIBAL AFFAIRS)  
**LOK SABHA**  
**UNSTARRED QUESTION NO. †4319**  
TO BE ANSWERED ON 07.01.2019

**RECOMMENDATIONS OF COMMITTEE ON FRA, 2006**

†4319. SHRI KUNWAR PUSHPENDRA SINGH CHANDEL:

ADV. JOICE GEORGE:

SHRI RAJU SHETTY:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the recommendations of the National Committee on Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 have been duly reviewed and auctioned and if so, the details thereof and if not, the reasons therefor along with the expected deadline for taking action on the same;
- (b) whether the Government has noted issues and massive exploitation and discrepancies in implementation of the act and if so, the details thereof;
- (c) whether high rates of rejection of community forest resource rights and non-communication of reasons for rejection of claims were noted, if so, the details thereof, State-wise; and
- (d) the corrective measures taken by the Government in this direction

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS  
(SHRI SUDARSHAN BHAGAT)

(a) & (b) In pursuance of the recommendations of the National Committee on Forest Rights Act, the following actions were taken by the Ministry of Tribal Affairs towards implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights), Act, 2006 (in short FRA):-

(i) Issue of comprehensive guidelines to the State/UT Governments on 12.7.2012 for expeditious recognition of the forest rights, including the community rights and community forest resources rights etc. under FRA.

(ii) 'the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007' have been amended on 06.09.2012. In Amendment Rules, 2012, the provisions incorporated include: -

- Quorum revised from 2/3<sup>rd</sup> to 1/2 for Gram Sabha meetings
- Mandatory participation of women in Sub-Divisional Level Committee (SDLC) and District Level Committee (DLC) etc.
- The Gram Sabha authorized to issue transit permit in relation to transportation of Minor Forest Produce (MFP).

(iii) Issued letter to all States/UTs on 23.07.2012 for lifting the deadline or time limit of claims under FRA, if any, imposed by them.

(iv) Following the amendments in the Rules, this Ministry also organized five Regional Consultations on FRA, during the period September-November, 2012 followed by a National Meeting at New Delhi on 03.12.2012 with officials of the key State Departments responsible for implementation of the Act, wherein the amended Rules were explained and discussed and complex operational issues were clarified.

(v) Several recommendations contained in the report of the Committee have been taken care of by the guidelines issued this Ministry on 12.7.2012 and Amendment Rules, 2012. The recommendations on which action has to be taken by the State Governments/UT Administrations and other Ministries like Ministry of Environment and Forests, Ministry of Rural Development, Department of Land Resources and Ministry of Consumer Affairs, were also communicated to them on 18.10.2013.

As a result of the efforts, as on 31.10.2018, 42,24,812 claims (40,76,464 individual and 1,48,348 community claims) have been filed and 18,93,477 titles (18,21,413 individual and 72,064 community claims) have been distributed. A total of 38,31,300 claims have been disposed of, which is 90.69% of the total claims received. As per the information available from States, the extent of forest land covered is 1,78,57,026.94 acres for which 18,93,477 titles have been distributed.

(c) & (d) The major reasons of rejection of claims reported by State Governments include non-occupation of forest land prior to 13.12.2005, claims being made on land other than forest land, multiple claims, lack of sufficient documentary evidence etc. However, no segregated data of rejections in respect of community forest resources rights is reported by State Governments. Significant steps taken by this Ministry to bring down the rejection rate of forest rights claims are as under:-

(i) This Ministry has written to the States identified as low performing, asking them to undertake suo moto review of rejected claims to ensure that no wrongful rejections are made.

(ii) Ministry has also written to the State Governments where rejection of forest rights claims was very high to mandatorily review such claims since 1<sup>st</sup> April, 2014 if the same has not already not reviewed.

(iii) During the year 2017-18, several rounds of Review-cum-consultation meetings have been held covering all States wherein the progress of FRA implementation has been reviewed and suitable directions given in such meetings.

(iv) By its letter dated 29<sup>th</sup> June, 2018 Ministry has re-emphasized to the State Governments that while rejecting the claims, reasons have to be cited by concerned authorities and communicated to claimants.

As a result of the efforts made by this Ministry rejection rate has been declined from 53% to 50% during the period from October, 2014 to October, 2018.

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