

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION No. 5548
TO BE ANSWERED ON 26.07.2019

Eviction of Tribal and Forest Dwellers

5548. SHRI D. K. SURESH:

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

- (a) whether the Government is aware that there is a threat of forced mass eviction of tribal and forest dwellers from their traditional forestlands and if so, the details thereof;
- (b) whether it is true that several thousands claims to forestland under the Forest Rights Act, 2006 are still pending for disposal;
- (c) if so, the details of the number of such claims pending for the last five years, State-wise and year-wise;
- (d) whether the Government has taken any measures to address the concern of the claimants; and
- (e) if so, the details thereof and the response of the Government thereon?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI BABUL SUPRIYO)

- (a) The Hon'ble Supreme Court vide order dated 13.02.2019, in the matter of W.P. (C)109/2008 & 50/2008 ordered to evict the claimants from forests whose claims have been rejected under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

The Ministry of Tribal Affairs filed an application, in Hon'ble Supreme Court on 26.02.2019, for modification of order dated 13.02.2019 passed by them. The Hon'ble Supreme Court admitted the application filed by Ministry of Tribal Affairs and vide their Order dated 28.02.2019 stayed the eviction order which was given in their earlier order dated 13.02.2019.

- (b) Yes, Sir.
- (c) Details of the number of such claims pending for the last five years, State-wise, are given in Annexure.
- (d) & (e) As per the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short Forest Right Act, 2006) and Rules thereunder, responsibility for implementation of the Act lies with the States/UTs. Ministry of Tribal Affairs has been issuing various instructions/advisories to the State Governments from time to time for effective implementation of the Act emphasizing that prescribed procedure, as contained in the Act and Rules

thereunder for vesting forest rights in forest dwelling communities, should be followed to ensure that claims of eligible persons are not rejected. States have been requested by Ministry of Tribal Affairs from time to time to review all rejected claims to preclude the wrongful rejection of eligible claims.

Annexure referred to in reply of Lok Sabha Unstarred Question No. 5548 due for answer on 26.07.2019 asked by Shri D.K. Suresh regarding “eviction of Tribal and Forest dwellers.

State wise details of total number of pending claims under FRA, 2006 during last five years

SN	States	March 2014	March 2015	March 2016	March 2017	March 2018	March 2019
1	Andhra Pradesh	76176	76176	76176	23,911	12013	7,532
2	Assam	57975	57975	57975	96,209	96209	96,209
3	Bihar	1258	1258	3698	3,686	3686	3,686
4	Chhattisgarh	42028	26904	0	8,971	17337	5,432
5	Goa	NA	NA	0	9,707	9794	10,064
6	Gujarat	130446	111821	106569	106,494	37497	38,072
7	Himachal Pradesh	3186	3184	3184	652	2080	2,105
8	Jharkhand	9749	12781	14386	18,677	18677	20,679
9	Karnataka	88634	183159	175002	119,895	84320	84,320
10	Kerala	5047	5047	5047	5,047	5047	5,047
11	Madhya Pradesh	45583	40654	3299	11,276	4209	9,866
12	Maharashtra	8713	12326*	14083	19,856	19856	157,075
13	Odisha	93245	104046	66691	65,089	50503	48,236
14	Rajasthan	2113	3261	714	718	838	1,446
15	Tamil Nadu	21781	18058	18058	21,781	22222	15,859
16	Telangana	NA	40760	13772	11,429	8562	8,562
17	Tripura	40760	44849	3170	7,661	5074	4,039
18	Uttar Pradesh	1700	321	144	144	144	144
19	Uttarakhand	181	181	181	181	212	1,564
20	West Bengal	76056	105064	1752	364	364	364

* Figure for the Month of March 2015 was not correctly reported. Hence, figure as reported in the Month of May 2015 is provided