

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO- †5202
TO BE ANSWERED ON- 03/04/2023

OTHER TRADITIONAL FOREST DWELLERS

†5202. SHRI ARJUN LAL MEENA:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the present status of the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;
- (b) whether the Government has received complaints regarding ownership documents in the implementation of the above Act;
- (c) if so, the details thereof;
- (d) the steps taken by the Government thereon, complaint-wise, State/UT-wise; and
- (e) the other steps taken/being taken by the Government for better and effective implementation of the above Act?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a) to (e): Ministry of Tribal Affairs is the nodal Ministry in respect of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short FRA). As per FRA and rules made there under State Governments / UT Administrations are responsible for implementation of various provisions of the Act. The State Governments /UT administrations submit the monthly progress reports (MPRs) to this Ministry regarding implementation of FRA. The MPR, inter alia, contains State-wise data regarding individual and community claims filed, titles distributed, extent of forest land for which titles distributed.

As per information received from State Governments upto 30.11.2022, a total of 44,66,617 claims (42,97,245 individual and 1,69,372 community) have been filed and 22,49,671 titles (21,46,782 individual and 1,02,889 community) have been distributed to the extent of 1,68,29,864 acres (45,68,053 acres for individual and 1,22,61,811 acres for community) of forest land.

Rule 8 (h) of FRA stipulates the District Level Committee for providing of titles to claimants and reads as follows:

District Level Committee shall ensure that a certified copy of the record of forest rights and title under the Act, as specified in Annexure II & III to the rules, is provided to the concerned claimant and the Gram Sabha respectively.”

Further, Section 6 of the FRA, 2006 and Rules made under the Act lay down the authorities and procedure for vesting of forest rights. Thereunder, Gram Sabha shall receive, consolidate and verify the claims through the Forest Rights Committee and after passing a resolution forward the same to Sub-Divisional Level Committee. The State Government shall constitute a Sub-Divisional Level Committee to examine the resolution passed by the Gram Sabha and prepare the record of Forests Rights. Aggrieved from the resolution of Gram Sabha a person may prefer a petition to Sub-Divisional Level Committee. Any person aggrieved from decision of Sub-Divisional Level Committee may prefer a petition to District Level Committee. The State Government shall constitute a District Level Committee to consider and finally approve the record of forest rights prepared by the Sub-Divisional Level Committee. The decision of the District Level Committee on the record of Forests Rights shall be final and binding. Further, no petition shall be preferred directly before the District Level Committee against the resolution of the Gram Sabha unless the same has been preferred before and considered by the Sub-Divisional Level Committee. Section 6 (7) empowers the State Government to constitute a State Level Monitoring Committee to monitor the process of recognition and vesting of forest rights and to submit to the nodal agency such reports and returns as may be called for by the agency.

Accordingly, whenever any complaint / grievance is received from the claimant(s) with regard to implementation of the Act, the same is forwarded by the Ministry of Tribal Affairs to the State / UT concerned for necessary action as per the provisions of the FRA and Rules made thereunder. Further, Ministry of Tribal Affairs has been issuing advisories to the States from time to time besides conducting meetings and conferences for effective implementation of FRA.
