

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO- 1690
TO BE ANSWERED ON- 31/07/2023

FOREST RIGHTS ACT (FRA)

1690. MS. DEBASREE CHAUDHURI:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether there are undue interferences of the Forest Departments in the Gram Sabhas in the implementation of the Forest Rights Act (FRA);
- (b) if so, the details thereof;
- (c) the details of steps taken by the Government to address this issue;
- (d) whether the challenges are being faced in recognizing the forest rights of various communities under this Act, if so, the details thereof; and
- (e) the steps taken/being taken by the Government to address the same?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a) to (e): 'The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (In short FRA) seeks to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. As per the provisions of the Forest Rights Act, Officers of Forest Department are members in the Sub-Divisional Level Committee (SDLC), District Level Committee (DLC) and State Level Monitoring Committee (SLMC). As per the provisions of Sections 6 of the Act, Gram Sabha initiates the process for determining the nature and extent of individual or community forest rights or both. SDLC examines the resolution passed by the Gram Sabha and prepare the record of forest rights and forward it to the DLC for a final decision. As per Section 6(7) of the Act, State Level Monitoring Committee (SLMC) has to monitor the process of recognition and vesting of forest rights.

If issues related to implementation of FRA or interference from any agency comes to the knowledge of this Ministry then the matter is taken up with concerned State Government/UT Administration.

Further, with a view to improve coordination between the Forest Departments and Tribal Welfare Departments at the State level for smooth implementation of FRA, Ministry of Tribal Affairs (MoTA) and Ministry of Environment, Forest and Climate Change (MoEFCC) have also jointly issued a communication to the State Governments/UT Administrations wherein it has been, inter alia, urged to the Forest Department to provide a high level of support to enable expeditious implementation of the Act for recognition and vesting of forest rights.

For effective implementation of FRA, various steps have been taken in the country which, inter alia, includes

(i). Translation of Act, Rules and guidelines into local languages through the Tribal Research Institutes (TRIs), conducting awareness camps etc.

(ii). By issuing suitable instructions / advisories to the State Governments to address the difficulties arising in the implementation of the Act by the States, from time to time.

(iii). Instruction to States / UTs to review all rejected claims.

(iv). Capacity Building and training of state government officials through series of review-cum-consultation meetings, regional workshops, training on implementation of Forest Rights Act including virtual training of trainers programme on FRA from time to time.
