

GOVERNMENT OF INDIA  
MINISTRY OF TRIBAL AFFAIRS  
**LOK SABHA**  
**UNSTARRED QUESTION NO- † 1772**  
TO BE ANSWERED ON- 05/12/2024

**FOREST RIGHTS ACT IN SONBHADRA AND CHANDAULI DISTRICTS**

†1772. SHRI CHHOTELAL:

Will the MINISTER OF STATE FOR TRIBAL AFFAIRS be pleased to state:

- (a) whether the Government is aware that under the Forest Rights Act, tribals dwelling in their ancestral land prior to December, 2005 have the right of ownership of land;
- (b) if so, the details thereof;
- (c) whether officials from Forest department are depriving poor and Dalit tribals of their rights by taking possession of their land, particularly in the Sonbhadra and Chandauli Parliamentary Constituencies;
- (d) if so, the details thereof and the reasons therefor;
- (e) whether only Dalit tribals and poor people dwelling in their ancestral land have the right of ownership and right to lease their ancestral land under the Forest Rights Act; and
- (f) if so, the details of process adopted so far for providing ownership of land to poor and Dalit tribals residing in areas earmarked under the Forest Rights Act in Sonbhadra and Chandauli districts and other parts of the country?

**ANSWER**

MINISTER OF STATE FOR TRIBAL AFFAIRS  
(SHRI DURGADAS UIKEY)

**(a), (b), (c) & (f):** 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. The Act provides various types of rights, such as individual rights to forest land for self-cultivation and habitation and community rights to forest resources, and community forest rights (CFR) for managing and conserving forest lands. There is no provision under FRA to lease ancestral land. As per FRA, the right conferred is heritable but non-alienable or transferrable. Further, as per the Right to fair compensation and transparency in land acquisition, rehabilitation and resettlement act, 2013, the definition of 'Land owner; includes – 'any person who is granted forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007)'.

**(c) & (d):** As per FRA and rules made thereunder State Governments/UT Administrations are responsible for implementation of various provisions of the Act. FRA is being implemented in 20 States (including State of Uttar Pradesh) and 1 UT. To resolve field level problems if any in the implementation process and for facilitating benefit of Government schemes (Irrigation, Road, Awas etc) the Ministry of Tribal Affairs and Ministry of Environment Forest and Climate Change have issued two joint advisories dated 06.07.2021 and 14.03.2024 to Chief secretaries of all FRA implementing states.

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