

Orissa: Tribals, forest Dwellers Protested Against Non-recognition of Community Forest Rights

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Report by Orissa Diary correspondent; Bhubaneswar: Hundreds of tribals and forest dwellers coming from different districts gathered at PMG chhak on 20th December to protest against non-recognition of Community Forest Rights over Community Forest Resources and Playing with the authority and the Power of Gram Sabha assigned under Forest Rights Act, 2006 by the Govt. of Odisha.

The protest rally started from the railway station at 11.30 am and reached at PMG Chhak followed by a public meeting. At the end of the protest rally, raising a numbers of gaps in the implementation of forest Rights Act in the State a memorandum was submitted to the Governor of Odisha and also to the Tribal Minister. The same copy of the memorandum also have been sent to the all concerns member secretaries of the State Level Monitoring Committee(SLMC) formed under Forest Rights Act, 2006. Gopinath Majhi, Convenor of the CSD, Odisha addressed the gathering raising a number of issues emphasizing on the recognition of community forest rights over community forest resources and authority and the power of the Gram Sabha. Among others who addressed the gatherings were Anna Kujur from Sundargarh, Madan Marandi from Khurda, Gopal Nayak from Koraput, Narendra Mohanty from Kandhmal, Prafulla Samantaray from Bhubaneswar, Arun Dehudi from Boud etc. The memorandum covered all the implementation problems raised with suggestive measures and follwing demands made.

1. Government of Odisha should widespread the provision of Community Forest Right, expedite the community forest claims submission and recognition process.

2. There should be uniform process of recognition of community rights in the state in which the community forest resources boundary has to be clearly mentioned including mentioning the nature of different types of community forest rights there in.
3. Recognition of Community Forest Protection and Management rights of Gram Sabha under Section 5 of the Forest Rights (Recognition) Act,, 2006 and Section 4 (1) (e) of the Rules and dissolving the VSS formed under JFM.
4. Decision over individual forest rights should be based on the recommendation of the Gram Sabha and not as per the SDLC. The faulty titles issued should be immediately verified and corrected. The individual claimants whose claim has been rejected should be informed duly so that they can appeal.
5. SDLC/DLC should give importance to the Verdict of the Elders, Physical attributes of the occupied land, genealogy of the claimants and recommendation of the Gram Sabhas while determining the rights of the OTFD. Besides, the history of the concerned Gram/village should be taken into account.
6. All the forest hamlets/villages/ un-surveyed areas to be identified, given the status of Gram sabbha and FRC to be formed as soon as possible. All the Revenue Hamlets should be converted into Revenue village soon. Government of Odisha should immediately come up with the detailed survey and settlement plan for these forest villages/un-surveyed areas and convert them in to revenue villages and extent all the development programme to the forest dwellers residing in those areas including the sanctuaries.
7. The State Government should immediately stop the transfer of forest land for mining and other purposes before the completion and determination of entitlement of CFR to the community and no diversion of forest land can be further done without the consent of the concern Gram Sabha.
8. We demand the SLMC to issue special direction to the SDLC and Forest Department to act as per the provision under Forest Rights (Recognition) Act, and ask the filed level worker to cooperate in the whole process.
9. If the government truly wants to bring the tribal to the mainstream it should implement the Forest Rights Act, 2006 and PESA, 1996 in its true sense.
10. The state government should immediately take steps to recognize PTGs Habitat and to protect them.
11. The government of Odisha should as soon as possible withdraw all the forest cases filed against people as per the provision of the preamble of the FRA which admits that historical injustice were done to the forest dwellers over the periods and this Act is enacted to address them.

12. The Government should issue Special Circular including Kendu leave and bamboo in the list of NTFP in Odisha and immediately stop regulating on these produces and handing over the ownership rights to the community.

In the memorandum CSD, Odisha has demanded from the Govt. of Odisha to fix a date and to invite the members of the CSD, Odisha to have detailed discussion and consultation on the issues raised and demands put forth.

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