

**GOVERNMENT OF ORISSA
ST & SC DEVELOPMENT DEPARTMENT**

RESOLUTION

No. 4694 / SSD, Dated, Bhubaneswar the 1st February 2008 TD-11-3/08

Sub:- Constitution of Sub-Divisional Level Committee, District Level Committee and State Level Monitoring Committee for implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules made there under.

1. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules notified by Ministry of Tribal Affairs, Government of India, New Delhi seek to provide rights overland in their occupation to Forest-Dwelling Scheduled Tribes and other traditional Forest Dwellers who have been residing there for generations but whose right could not be recorded.
2. In order to ensure proper implementation of the Act expedi--- in keeping with the rules provided under it. Government after careful consideration have been pleased to decide that the following Committees be constituted in the manner prescribed against each and the Committees be – with functions as mentioned against them as follows.
3. Constitution of Sub Divisional Level Committee:
 1. Sub-Collector Chairperson
 - 2) Forest Officer in charge of the Sub-division Member
 - 3) 3 members of Panchayat Samiti (These 3 Members will be nominated by Zilla Parishad andat least 2 of them shall be Scheduled Tribes, preferably those who are forest dwellers or who belong to primitive tribal groups. Where there are no Scheduled Tribes, 2 members to be nominated by Zilla Parishad would be from other traditional forest dwellers and one woman. Member
 - 4) Special Officer, ITDA in Scheduled Areas and Asst. Member Secretary Dist. Welfare Officer in non-scheduled areas
4. Functions of the Sub-Divisional Level Committee – The Sub-Divisional Level Committee (SDLC) shall –
 1. Provide information to each Gram Sabha about their duties and duties of holder of forest rights and others towards protection of wildlife. Forest and biodiversity with reference to critical flora and fauna, which need to be conserved and protected.
 2. Provide forest and revenue maps and electoral rolls to the Gram Sabha or the Forest Rights Committee;
 3. Collate all the resolutions of the concerned Gram Sabhas;
 4. Consolidate maps and details provided by the Gram Sabhas;

5. Examine the resolutions and the maps of the Gram Sabhas to ascertain the veracity of the claims;
 6. Hear and adjudicate disputes between Gram Sabhas on the nature and extent of any forest rights;
 7. Hear petitions from persons including State agencies aggrieved by the resolutions of the Gram Sabhas;
 8. Co-ordinate with other Sub-Divisional Level Committee for inter sub divisional claims;
 9. Prepare block or tehsil wise draft record of proposed forest rights after reconciliation of Government records;
 10. Forward the claims with the draft record of proposed forest rights through the Sub-Divisional Officer to the District Level Committee for final decision;
 11. Raise awareness among forest dwellers about the objectives and procedures said down under the Act and in the rules;
 12. Ensure easy and free availability of proforma of claims to the claimants as provided in Annexure-I (Forms A & B) to these rules;
 13. Ensure that the Gram Sabha Meetings are conducted in free, open and fair manner with requisite quorum.
5. District Level Committee – The District Level Committee shall be constituted with the following members, namely –
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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1. | District Collector | Chairperson |
| 2) | Concerned Divisional Forest Officer or concerned Deputy Conservator of forests | Member |
| 3) | 3 members of Zilla Parishad (These 3 Members will be nominated by Zilla Parishad and at least 2 of them shall be Scheduled Tribes, preferably those who are forest dwellers or who belong to primitive tribal groups. Where there are no Scheduled Tribes, 2 members to be nominated by Zilla Parishad would be from other traditional forest dwellers and one woman. | Member |
| 4) | Project Administrator, ITDA in Scheduled Areas and Member Secretary Dist. Welfare Officer in other area | |
6. Functions of District Level Committee –
The District Level Committee shall –
- a) Ensure that the requisite information under clause – (b) of rule-6 has been provided to Gram Sabha or Forest Rights Committee.
 - b) Examine whether all claims, especially those of primitive tribal groups, pastoralists and nomadic tribes, have been addressed keeping in mind the objectives of the Act;
 - c) Consider and finally approve the claims and record of forest rights prepared by the Sub Divisional Level Committee.
 - d) Hear petitions from persons aggrieved by the orders of the sub Divisional Level Committee.

- e) Co-ordinate with other districts regarding inter-district claims.
 - f) Issue directions for incorporation of the forest rights in the relevant Government records including record of rights.
 - g) Ensure publication of the record of the forest rights as may be finalized.
 - h) Ensure that the certified copy of the record of the forest rights and title under the Act, as specified at Annexure-II & III to rules, is provided to the concerned claimant and the Gram Sabha respectively.
7. State Level Monitoring Committee – The State Level Monitoring Committee shall be constituted with the following members namely –
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|-----------------------------------------------------------------------------|------------------|
| 1. Chief Secretary | Chairperson |
| 2. Secretary, Revenue & DM Department | Member |
| 3. Secretary, Scheduled Tribes & Scheduled Castes
Development Department | Member |
| 4. Secretary, Forest Department | Member |
| 5. Secretary, Panchayati Raj Department | Member |
| 6. Principal Chief Conservator of Forests | Member |
| 7. Sri Bharat Paik, Member of TAC | Member |
| 8. Sri Balabhadra Majhi, Member of TAC | Member |
| 9. Smt. Tulasi Munda, Member of TAC | Member |
| 10. Director, ST & SC | Member Secretary |
8. Functions of the State Level Monitoring Committee – The State Level Monitoring Committee shall
- a) Devise criteria and indicators for monitoring the process of recognition and vesting of forest rights.
 - b) Monitor the process of reorganization, verification and vesting of forest rights in the state.
 - c) Furnish a six monthly report on the process of recognition, verification and vesting of forest rights and submit to the nodal agency such returns and reports as may be called for by the nodal agency.
 - d) On receipt of a notice as mentioned in section 8 of the Act, take appropriate actions against the concerned authorities under the Act.
 - e) Monitor resettlement under Sub-Section (2) of Section 4 of the Act.
9. Order: Ordered that the Resolution be published in the extra ordinary issue of the State Gazette and copies thereof be set of all Department of Govt./All Heads of Departments / All Collectors & Sub-Collectors.

By order of the Governor

Commissioner-cum-Secretary to Government

Memo No. 4695 / SSD, dated Bhubaneswar the 1st February 2008

Copy forwarded to the Commissioner-cum Secretary to Governor, Orissa/Principal Secretary to Chief Minister, Orissa / PS to All Ministers / PS to Chief Secretary, Orissa / PS to Development Commissioner / PS to Agricultural Production Commissioner / PS to Commissioner-cum-

Secretary, Revenue & D.M Department / PS to Principal Secretary, F & E Department / PS to Principal Chief Conservator of Forest, Bhubaneswar for information and necessary action.

Additional Secretary to Government

Memo No. 4696 / SSD, dated Bhubaneswar the 1st February 2008

Copy forwarded to the Director, Printing, Stationary and Publications, Madhupatana, Cuttack with a request to get the above Resolution published in the Extra ordinary issue of the Orissa Gazettee and send copies of the same to the above mentioned authorities and also send 100 copies of the Resolution to this Department.

Additional Secretary to Government

Memo No. 4697 / SSD, dated Bhubaneswar the 1st February 2008

Copy forwarded to All Department of Govt. / All Heads of Departments / All RDCs for information and necessary action.

Additional Secretary to Government

Memo No. 4698 / SSD, dated Bhubaneswar the 1st February 2008

Copy forwarded to All Collectors / All Sub Collectors / All DWOs for information and necessary action.

They are requested to circulate the resolution among all members of the Sub Divisional Level and District Level Committee respectively.

Additional Secretary to Government

Memo No. 4699 / SSD, dated Bhubaneswar the 1st February 2008

Copy forwarded to PS to Commissioner-cum-Secretary / PS to Director (OBC) & Ex-Officio Additional Secretary / PS to Director (ST/SC)-cum-Additional Secretary / All Officers / All Sections of ST & SC Development Department for information and necessary action.

Additional Secretary to Government

Memo No 4700 Dt. /2008

Copy forwarded to Shri Bharat Paik, Member TAC Qrs. No. – D/S-10/1, MLA Colony, Unit-IV, BBSR./Shri Balabhadra Majhi, Member TAC. Qr. No. D/S. 13/4, MLA Colony, Unit-IV, BBSR. / Padmashree Tulasi Munda, Qr. No. IVR- 58, Unit VI, BBSR for favour of information.

Additional Secretary to Government