

Dr. HRUSIKESH PANDA
Secretary



भारत सरकार
Government of India
जनजातीय कार्य मंत्रालय
Ministry of Tribal Affairs
शास्त्री भवन, नई दिल्ली-110001
Shastri Bhawan, New Delhi -110001
Tel. : 23381652, Fax : 23073160
E-mail : Secy-tribal@nic.in

D.O. No.23011/18/2015-FRA

Dated the 28th April 2015

Subject: Training and use of technology for proper implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Dear Colleague,

1. During the Review Meeting as part of PRAGATI on 22.04.2015, the Hon'ble Prime Minister has desired that State Governments need to proactively pursue progress in vesting and recognition of forest rights in a time bound manner under The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA, 2006). Emphasis was also laid on training and motivation of officials, Gram Sabha Members and Secretaries of Panchayat so that the progress in vesting of rights in time bound manner may be pursued.

2. For this purpose, it is recommended that extensive training programmes are taken up for officials, Ward Members, Gram Sabha Members, Panchayat Secretaries, field officials of forest, tribal welfare and land administrative departments and Sub-divisional Level Committee (SDLC) and District Level Committee (DLC) members etc. on priority basis. Training must be hands-on and enable people to make bona fide representations for getting forest rights. In many States, FRA, 2006 has been translated in local languages; wherever possible translation of the Act, Rules and guidelines may be made in tribal languages to create wide spread awareness. I would like to remind you that funds have been made available by this Ministry to conduct training and awareness programmes on FRA. States lacking resource persons to conduct the trainings for master trainers can approach the Tribal Research Institute, Bhubaneswar which has also been recognised as the National Resource Centre by this Ministry.

3. Geo-referenced database of vesting of rights and maps may also be created in order to ensure proper implementation of Forest Rights Act. Such data can also be accessed from BHUVAN portal of Department of Space and State Remote Sensing Agency. While some

State Governments have taken steps towards this, similar steps need to be taken up by all the States. In particular, Bihar, Jharkhand and Uttar Pradesh are to identify the potential areas and extent of forest land where Individual, Community and Community Forest Resource rights under Forest Rights Act can be vested.

4. However, while creating geo-referenced data base and maps of areas/ potential areas under FRA, 2006, it needs to be kept in mind that it is one of the evidences to recognise the rights, but not the only evidence. The geo-referenced data should be corroborated with other sources of information as delineated under Rule 13 of the FR Rules so as to rule out possibility of wrongful claims or denials. Geo-referenced data has its limitations and there have been instances in the past where such data has been used for wrongful denials. For example, in case of shifting cultivation, the satellite data will not show continuous agricultural operation in an area. Hence, this should be supplemented with ground verification so as to create the data base. The verification on ground would be important so as to identify genuine claimants and land under their occupation. This includes lands left fallow on account of shifting cultivation or for any other reason.

5. For identification of forest land under the Community Forest Resource rights and community purposes, geo referencing may, particularly, be useful. It would be important to map villages having forest land within its revenue boundary, villages located within and at the fringes of Reserve Forests, protected forests, National Parks and Sanctuaries or any other forest land as under State Forest Department. Further, all forest villages, old habitations, unsurveyed villages etc. have to be taken into account for delineation of the potential areas and creation of maps where FRA is likely to be implemented.

6. In Sixth Schedule areas of Assam, Meghalaya, in Mizoram, Nagaland, Tripura, Arunachal Pradesh, Himachal Pradesh, Hill areas of Manipur etc., most of the rights have already been vested. These recognised rights should be translated into individual and community record of rights as per the process laid down under FRA, 2006.

7. We hope that these processes are completed within the current year.

With regards,

Yours sincerely,

Hrusikesh Panda
(Hrusikesh Panda)

Chief Secretaries of All States, Andaman & Nicobar Islands, Puducherry; Administrators, Dadra & Nagar Haveli, Daman & Diu, Lakshwadeep.