



ODISHA STATE FOOD COMMISSION

A-1 BLOCK (9TH FLOOR), TOSHALI BHAWAN,
SATYANAGAR, BHUBANESWAR - 751007



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From:

**Shri Ranglal Jamuda, IAS(Retd.),
Chairperson.**

No. 788/FC., Bhubaneswar, dated the 05th April, 2019.
CORD-15/18/2018

To

All Collectors.

Sub: Communication of decisions on rejection or recommendations for modification of claims (Individual Forest Rights) under the FRA, 2006 and disposal of petitions filed by the aggrieved claimants.

Madam/ Sir,

By now you are well aware of the orders of the Hon'ble Supreme Court pronounced on 13.02.2019 and 28.02.2019 in W.P.(C) No. 109/2008 relating to the ongoing activities under the FRA, 2006 and the Rules made thereunder. To have better clarity, you are requested to kindly go through these important orders of the Hon'ble Supreme Court.

2. Under the law the Gram Sabha (G.S), Sub-Division Level Committee (SDLC) and District Level Committee (DLC) are competent to reject or modify the claims filed by the claimants for recognition and vesting of Individual Forest Rights (IFR). However, the rejection or recommendation for modification of the claim has to be communicated in person to the claimant to enable him to prefer a petition to the SDLC or DLC, as the case may be.

3. It is evident from the communications issued by the ST & SC Development Department that as on 31.01.2019 as many as 1,45,524 claims have been rejected in the State. **Gram Sabha, SDLC and DLC have rejected 90,559, 52,713 and 2,252 claims respectively in the State. The District wise position has been indicated in the statement placed at Annexure-1.**

4. **Surprisingly, bulk of the rejections are at the level of Gram Sabha. During field visits the impression gathered from the public is that the claimants under the FRA, 2006 have not received any written communication from the concerned G.Ps as provided under Rule 12A(3) or Rule 12A(10) of the Forest Rights Amendment Rules, 2012. More or less the situation may be identical regarding the claims rejected by the SDLC or DLC.**

5. In view of the foregoing, the immediate task before us is to send written communications to aggrieved claimants so that they are in a position to file petition before the SDLC (against the order of Gram Sabha) or DLC (against the order of SDLC), as the case may be. **The aggrieved claimants are entitled to a response time of 60 (sixty) days from the date of receipt of such written communication to file petitions.** Since bulk of the rejected cases are to be handled by the Gram Sabha, the concerned Panchayat Executive Officers of Gram Panchayats should be impressed upon to issue such written communications (mentioning detailed reasons) with reference to the resolution passed by the Gram Sabha either for rejection or for recommendation of modification of claims. Similar communications need to be issued by the SDLC and DLC as well to the aggrieved claimants under intimation to the concerned Forest Rights Committee.

6. It is expected that despite your pre-occupations relating to the General Election, 2019, you would issue suitable instructions to the concerned authorities within your jurisdiction to undertake this task with all seriousness. **Needless to mention that all these aggrieved claimants are still struggling to achieve freedom from hunger. Progress achieved in this regard may be reported to the Odisha State Food Commission preferably by the end of May, 2019.**

Yours faithfully,


Chairperson

Memo No. 789 FC., date. 05-04-19

Copy (alongwith enclosure) forwarded to the Chief Secretary, Odisha/ ACS, Forest and Environment Department/ Principal Secretary, Revenue & D.M Department/ Secretary, ST & SC Development Department/ all RDCs (Southern Division, Northern Division & Central Division)/ ACS to Chief Minister, Odisha for favour of information and necessary action.


Chairperson

Memo No. 790 FC., date. 05-04-19

Copy forwarded to the Member Secretary, Odisha State Food Commission. She should report to the Commission, at the end of each month, the progress achieved in this regard.


Chairperson

**I.F.R. CLAIMS REJECTED IN DIFFERENT DISTRICTS
(AS ON 31.01.2019)**

Sl. No.	District	Claims rejected	Rejected by			Claims pending for decision
			Gram Sabha	SDLC	DLC	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Angul	5,633	1,035	3,969	629	0
2	Balasore	1,810	1,810	0	0	398
3	Bagarh	1,698	482	1,214	2	519
4	Bhadrak	0	0	0	0	0
5	Bolangir	5,225	2,633	2,590	2	1,203
6	Boudh	1,585	0	1,465	120	0
7	Cuttack	3,583	2,888	695	0	628
8	Deogarh	5,807	352	5,455	0	741
9	Dhenkanal	1,504	333	1171	0	2,981
10	Gajapati	16,585	16,585	0	0	667
11	Ganjam	6,303	3,530	2,773	0	903
12	Jagatsinghpur	2	1	1	0	0
13	Jajpur	4,330	4,320	10	0	969
14	Jharsuguda	6,604	0	6,604	0	1
15	Kalahandi	658	0	655	3	486
16	Kandhamal	2,437	1,921	507	9	91
17	Kendrapara	3,740	812	2,928	0	0
18	Keonjhar	15,297	12,462	2,835	0	898
19	Khurda	1,180	1,180	0	0	1,464
20	Koraput	2,587	2,135	452	0	3,916
21	Malkangiri	3,037	971	1,584	482	910
22	Mayurbhanj	8,799	5,227	3,572	0	9,614
23	Nabarangpur	0	0	0	0	0
24	Nayagarh	145	0	104	41	289
25	Nuapada	12,215	11,215	1,000	0	4,604
26	Puri	1,169	0	1,169	0	0
27	Rayagada	0	0	0	0	2,771
28	Sambalpur	15,556	9,927	5,629	0	5,008
29	Subarnapur	1,171	0	1,166	5	10
30	Sundargarh	16,864	10,740	5,165	959	4,080
	State Total:	1,45,524	90,559	52,713	2,252	43,151