

## Ministry of Tribal Affairs

## IMPLEMENTATION OF FOREST RIGHTS ACT

16:14 IST

## RAJYA SABHA

The States have progressed in varying degrees in implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 . While the States like Andhra Pradesh, Chhattisgarh, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tripura and West Bengal have established the prescribed structures and procedures, have received a large number of claims and have started distributing the title deeds, other States, because of various reasons, are still to catch up. As per the information collected till 31<sup>st</sup> October 2009, more than 24.90 lakh claims have been filed and more than 5.68 lakh titles have been distributed. More than 43 thousand titles were ready for distribution.

The Ministry of Tribal Affairs has been interacting with all the State Governments and Union Territory Administrations urging them to expedite implementation of the Act. Review meetings with the concerned officers of the State Governments and Union Territory Administrations are being held at regular intervals. The officers of the Ministry are also visiting the States to assess and guide the pace of implementation. The Ministry has advised and is pursuing all the State/ UT Governments to ensure completion of the work relating to vesting of forest rights by end of December, 2009.

Status of State-wise implementation of the Act (as on 31.10.2009) is given in the table below :-

S. No	State	Total number of claims received	Total number of titles deeds distributed/ ready	Number of claims rejected
1.	Andhra Pradesh	3,26,303 {3,19,703 individual and 6,600 community}	1,73,091 distributed	42,866
2.	Arunachal Pradesh			
3.	Assam	66,546 (63,448 individual and 3098 community)		
4.	Bihar	788		
5.	Chhattisgarh	4,57,857	1,92,088 distributed	2,01,903

6.	Goa			
7.	Gujarat	1,84,329 (1,76,242 individual and 8,087 community)	5,668 distributed	528
8.	Himachal Pradesh			
9.	Jharkhand	4,539	72 distributed including 2 community rights	
10.	Karnataka	45,801	-	
11.	Kerala	35,620 (34,886 individual and 734 community).	23 distributed	9
12.	Madhya Pradesh	3,71,993 (3,69,437 individual and 2,556 community)	47,460 distributed and 39,799 ready.	2,27,964
13.	Maharashtra	2,66,572	2,453 distributed	170
14.	Manipur	-	-	
15.	Meghalaya	-	-	
16.	Mizoram	-	-	
17.	Orissa	3,06,034 (3,04,336 individual and 1,698 community)	50,190 distributed	-
18.	Rajasthan	58,721 (58,708 individual and 13 community)	5,412 distributed	7,608
19.	Sikkim			
20.	Tamil Nadu	8,352		
21.	Tripura	1,62,819	82,741 distributed	43,836
22.	Uttar Pradesh	52,736		26
23.	Uttaranchal			
24.	West Bengal	1, 41,783	9,602 distributed and 3,396 ready	43,997
25.	A & N Islands			
26.	Daman & Diu			

27.	Dadra & Nagar Haveli			
	Total	24,90,793	5,68,800 distributed and 43,195 ready.	5,68,907

Notes:

1. Arunachal Pradesh: The State Government has informed that though they have constituted the SDLC, DLC and SLMC under the Act but unlike the other States of Indian Union where the Scheduled Tribes and other traditional forest dwellers are in minority and socio economically marginalized by other dominant non-tribal population, the State of Arunachal Pradesh is wholly domiciled by various ethnic tribal groups whose land and forests are specifically identified with natural boundaries of hillocks, ranges, rivers and tributaries. Barring few pockets of land under wildlife sanctuaries, reserved forests, most of the land in entire State is community land. Territorial boundaries of land and forest belonging to one community or tribes from the others are also identified in the same line leaving no scopes for any dispute over the possession of land forest or water bodies among the tribes. Therefore, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in true sense does not have much relevance to the State of Arunachal Pradesh.

2. Haryana: The State Govt. has informed that there are no Scheduled Tribes and other traditional forest dwellers living in the forests of Haryana.

3. Manipur: Information not available.

4. Mizoram: The State Government has informed that the Act is to be approved by the State Legislative Assembly as per the Article 371(G) of the Constitution. This is awaited.

5. Nagaland: The Government of Nagaland has informed that the land holding system and the village system of the Naga people is peculiar in that the people are the land owners. Hence, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 per se may not be applicable to the State of Nagaland.

6. Sikkim: The Government of Sikkim has issued a notification dated 28.1.2008 regarding constitution of an Expert Committee for identification of Critical Wildlife habitats in Protected Areas (PAs) and have also constituted the various Committees under the Act but has not sent any report regarding the progress of implementation of the Act in the State so far.

7. A&N Islands: The Andaman & Nicobar Administration has informed that in A&N Islands there are no non-tribal forest dwellers as defined in the Act. The area inhabited by the Scheduled Tribes of A&N Islands has been declared as reserved area under the A&N Islands Protection of Aboriginal Tribes (Regulation), 1956. The interest of the tribals in the land situated in the reserved areas are fully protected under the provision of the regulation. The tribal reserves have been notified as reserved or protected forest reserve.

8. Daman & Diu: No progress.

9. Lakshadweep: The UT Administration has intimated that there are no terrestrial forests and no forest tribes or traditional forest dwellers in Lakshadweep.

10. Puducherry: The Government of Puducherry has informed that there are no recognized Scheduled Tribes in the Union Territory of Puducherry and also no land in Puducherry is classified as "Forest Land" coming within the definition of Clause 2(d) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

This information was given by the Minister of State in the Ministry of Tribal Affairs Dr. Tushar A. Chaudhary in a written reply in the Rajya Sabha today.

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**VBA/RS**

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