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**PROCEEDINGS OF THE MEETING OF
STATE LEVEL MONITORING COMMITTEE
HELD ON 24TH OCTOBER, 2008.**

The meeting of the State Level Monitoring Committee constituted vide ST & SC Development Department Resolution No. 4694/SSD Dt. 1.2.08 for implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 and Rules made thereunder was held on 24.10.08 at 12.30 PM in the 2nd Floor Conference Hall of the Secretariat under the Chairmanship of the Chief Secretary, Orissa.

The list of the members of the Committee and Officers who attended the meeting is given at Annexure – I.

At the outset, the Commissioner-cum- Secretary, ST & SC Development Department placed the progress report on implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 and Rules 2008 for the month ending August 2008 before the committee. He informed that during the Review of implementation of the Act on 17.10.08, the Prime Minister's Office expressed underlined the need of expeditiously implementing the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in the State and urged upon the State Government to complete the process pending disposal of the writ petition on the subject. He also informed the Committee that all Collectors have been requested recently demi-officially by Chief Secretary, Orissa vide Letter No. 36829 Dt. 20.10.08 that all claims received so far should be disposed of finally by 30.11.08.

Chief Secretary observed that officers including field functionaries of Revenue & DM Department and Forest & Environment Department have to show adequate concern to implement the law in letter and spirit and the field functionaries of these Departments should be proactive. He called upon Revenue and Forest Departments to issue instructions to the concerned field officers to take immediate action to finalise the claims already received by the Gram Sabhas within one month.

Special Secretary, Forest Department reported that in many cases forest offices are not being involved by the Gram Sabhas and Forest Rights Committees in their meetings. There are nearly 4000 posts in the field under Forest Department lying vacant, which has affected the progress of implementation of the Act.

Shri Balabhadra Majhi, MLA and Padmashree Tulasi Munda, Member of the Committee opined that Gram Sabha meetings were not taking place regularly and properly. Gram Sabhas should be given utmost importance in taking decision on the matter. Awareness among the Tribals inside the forest villages and in remote areas should be created about the provisions of the Act.

After detailed deliberations, the following decisions were taken:

1. ✓ Forest and Environment Department should ensure settlement of all the encroachment cases in favour of tribal encroachers. The process should be completed within one month. However, land rights would be formally given in accordance with the High Court Order.

(Action: Forest and Environment Department)


2. Panchayati Raj Department should see that Gram Sabha meetings are conducted properly and regularly as per the Act. They may issue necessary instructions to the concerned authorities accordingly. (Action: Panchayati Raj Department)
3. Director, Panchayati Raj may visit Th. Rampur, Dist - Kalahandi to verify attendance in different Gram Sabha meetings held so as to ascertain whether they were conducted properly and as per the Act. (Action: Panchayati Raj Deptt)
4. Panchayati Raj Deptt may take prompt actions to create more awareness among the tribals about provisions of the Act, holding of Gram Sabha etc and their responsibilities etc. (Action: Panchayati Raj Deptt)
5. Meetings of DFOs be convened by Forest & Environment Deptt at Revenue Divisional Level in which concerned, Sub-Collectors and other functionaries of Revenue Department will attend. Secretary, Revenue & DM Department, Secretary, ST & SC Development Department and Secretary, Forest & Environment Deptt will be invited to clarify doubts / queries on implementation of the Act. (Action : Forest & Environment Deptt)
6. The Committee approved the suggestion of the Revenue & DM Department that Palli/ Gram Sabha may list out the names and pass a joint resolution affirming that the claimants belong to Scheduled Tribes. Such resolution can be accepted by the Sub Divisional Level Committee and District Level Committee. If the SDLC or DLC has any reason to re-verify, they may require proper caste certificate to be issued by the

Tahasildar in such doubtful cases only. (Action: PR Deptt, Revenue & DM Department, Forest & Environment Deptt)

7. The Committee also approved the suggestion of Revenue & DM Department that an authenticated copy of the SDLC proceedings needs to be given to Palli / Gram Sabha so that the Palli Sabha know about the recommendations of the SDLC. The Palli / Gram Sabha will in turn inform the persons affected and the appeal opportunity can be made use of. (Action: PR Deptt, Revenue & DM Department, Forest & Environment Deptt)

8. All the claims received by the Gram Sabha be disposed of finally by 30.11.08 so that documents conveying the claimants' rights over forest land as claimed by them and approved by the District Level Committee is handed over in the Annexure II & III of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules 2008 as soon as the litigation pending in the Hon'ble High Court is decided or leave of the Court is received. The progress may be reviewed in the next meeting of SDMC under the Chairmanship of Chief Secretary, Orissa. The progress may be reported to ST & SC Development Department. (Action: Revenue & DM Department, Forest & Environment Department, ST & SC Development Department)

The meeting was concluded with a vote of thanks to the Chairman and other members present.


Chief Secretary

**MEMBERS AND OFFICERS PRESENT IN THE
STATE LEVEL MONITORING COMMITTEE HELD ON 24.10.08**

Sl No	<u>Name of the Members and Officers</u>
1	Sri A. K. Tripathy, Chief Secretary, Orissa, Chairman
2	Sri Balabhadra Majhi, MLA, Member of TAC
3	Padmashree Tulasi Munda, Member of TAC
4	Dr. Taradatt, Commissioner-cum- Secretary to Govt. ST & SC Development Department
5	Sri G.V.V. Sarma, Commissioner-cum- Secretary to Govt. Revenue & DM Department
6	Sri R.N. Dash, Commissioner-cum- Secretary to Govt. Panchayati Raj Department
7	Sri P. N. Padhi, Special Secretary to Govt. Forest & Environment Department
8	Sri S. C. Mohanty Principal Chief Conservator of Forests
9	Sri J.P. Agrawala, Director, Panchayati Raj Department
10	Sri R.K. Choudhury, Director (ST/SC) cum- Additional Secretary to Government ST & SC Development Department
11	Sri O.P. Mohapatra, Joint Secretary to Govt. Panchayati Raj Department