Status Report on Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

For the Period ending 30th November 2008

Ministry of Tribal Affairs

Government of India

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#### **Government of India**

#### **Ministry of Tribal Affairs**

Status report on implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 [for the period ending 30<sup>th</sup> November, 2008]

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#### 1. Details of Court cases filed against the Act

Action taken in each court case is indicated in **Annexure-1**.

The Ministry had requested the Ministry of Law and Justice to convene a meeting of all the Additional Solicitor Generals of the States where the Court Cases have been filed to brief them so that the cases are defended effectively. Ministry of Law & Justice has, however, requested this Ministry to convene the said meeting. This Ministry is taking necessary action.

#### 2. Readiness of the States in the implementation of the Act

A Review Meeting on the implementation of Act was held on 11.11.2008, under the Chairmanship of Secretary (TA) with Principal Secretaries/ Secretaries/ Commissioners of Tribal Welfare Departments of all the States/UTs. In the said meeting status of implementation of the Act in various States/ UTs was discussed.

An updated status of State-wise implementation of the Act is given in **Annexure-II**.

#### 3. Legal clarifications sought by the States, if any

Some States have requested this Ministry to notify the guidelines for diversion of forest land for facilities managed by the Government under section 3(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. This Ministry had approved the procedure suggested by the Ministry of Environment & Forests in this regard and requested that Ministry to notify the same. However, the Ministry of Environment & Forest, after discussing the issue with the Ministry of Law & Justice, has informed that the Ministry of Tribal Affairs is required to issue the notification on the proposed procedure. The Ministry is, however, not confident of this advise, and so the Law Ministry is being requested to re-examine.

#### 4. Matters relating to the Act pending at the level of Government of India

Some States/UTs have raised issues relating to the definition of the term 'State Government' in relation to UTs, procedure for recognition of rights where forest land lies within the Municipal and Panchayat areas, difficulty in ensuring two-thirds quorum at the meetings of the Gram Sabha, delegation of power to sign the title deeds to the Revenue Divisional Officers, chairing of DLCs and SDLCs in the districts governed under Sixth Schedule of the Constitution, etc. These issues were also raised during the review meeting on implementation of the Act held on 11.11.2008. Appropriate clarifications on these points were given during the review meeting.

#### 5. Projected date for distribution of title deeds in each State

This Ministry had earlier intimated to all the States/UTs that they should complete the process of the implementation of the Act at the earliest and latest by January, 2009. Before the review meeting held on 11.11.2008, the Ministry had also circulated a tentative road map to all the States/ UTs for implementing the Act by January, 2009 and requested them to confirm the road map taking into consideration specific problems prevailing in their States/UTs. During the review meeting, while some States have expressed their agreement to the said road map, some States stated that it depended upon court order/ fulfillment of constitutional provision and some other States have projected extension of time period, varying from one month to three months.

#### Ministry of Tribal Affairs

#### **Web-based Monitoring:**

In the Review Meeting held on 11.11.2008, NIC officers made a brief presentation of the Web-based MIS explaining the main features of the software developed on the basis of the provisions in the Forest Rights Rules. There was a healthy interaction between the NIC officials and representatives of the States/UTs. There were various quarries on the uploading the website which were satisfactorily answered by the NIC officials. However, from the response of the State/UT representatives present in the meeting, it was clear that most of the States and the UTs have not yet done the spadework and, therefore, uploading of the data in the MIS may take a long time. Only the States of Madhya Pradesh, Rajasthan and to some extent Maharashtra also, have started the work of uploading the website.

Pending population of the web-site (www.forestrights.gov.in), a statement on claims received and distribution of title deeds in various states, as in <a href="maintained-lil">Annexure-III</a>, is being maintained. Both Annexures II and III are also being put up on the Ministry's web-site.

#### **Planning Commission**

As instructed in the meeting of Inter-Sectoral Committee under the chairmanship of Dr. Bhalachandra Mungekar, Member, Planning Commission, held on 26.9.2008, this Ministry had sent a draft of the D.O. letter from Prime Minister to the Chief Ministers of the States/UTs to PMO on 24.10.2008. The PMO informed this Ministry that the Hon'ble Prime Minister has already written twice to Chief Ministers of States/ UTs on the implementation of the Forest Rights Act and therefore, there is no need for the Hon'ble Prime Minister to write to them again. The Planning Commission has been informed accordingly.

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#### Annexure-I

Status Report on Court Cases in connection with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

(As on 30.11.2008)

1.	Writ Petition (C) No. 50 of 2008 filed by Bombay Natural History Society & Others Vs. Union of		
1.	India and others in the Supreme Court of India (Civil Original Jurisdiction), New Delhi		
	Date	Status	
		The writ petition was filed.	
	28.3.2008	W.P. came up for hearing before the Supreme Court. The Court ordered issue of	
	notice, directed that the petition be posted for hearing in due course, and the		
		respondents might enter appearance within 30 days from the date of the service of the notice.	
	5.4.2008	A Transfer Petition (Civil) Nos. 414-417 of 2008, for transfer of writ petitions filed in	
	3.4.2000	various High Courts, was filed in the Supreme Court for combined hearing with this	
		writ petition in the Supreme Court.	
	9.4.2008		
	6.5.2008	Supreme Court notice received in the Ministry.	
	0.3.2006	Ministry requested the Office of the A.S.G., Supreme Court to seek three months'	
	11.7.2000	time (by 6.8.2008) from the court for filing the counter affidavit.	
	11.7.2008	Para-wise comments have been prepared and sent to Shri P. Parameswaran,	
	22.8.2008	Advocate, Supreme Court for preparation of counter affidavit of the Ministry.	
	22.8.2008	Counter Affidavit prepared and handed over to Govt. Standing Counsel for filing in	
	23.8.2008	the Supreme Court.  As informed by Sh. D.S. Mehra ACSGC, the Counter Affidavit has been filed in	
	25.0.2000	Supreme Court.	
		Supreme court.	
2.	Writ Petition	(C) No. 109 of 2008 filed by Wildlife First and others Vs. Union of India through	
2.		etary and others in the Supreme Court of India (Civil Original Jurisdiction), New	
	Delhi	ctary and others in the supreme doubt of finance (arm original Jurisdiction), 110%	
	26.3.2008	The writ petition was filed.	
	28.3.2008	W.P. came up for preliminary hearing. The Court passed order to issue notice.	
		The Hon'ble Court also directed that the petition be posted for hearing in due	
		course and the respondents might enter appearance within 30 days from the date	
		of the service of the notice.	
	9.4.2008	Ministry received the notice of the petition from the Supreme Court of India.	
	6.5.2008	Ministry requested the Office of the A.S.G., Supreme Court to file a petition for	
	0.0.2000	combined hearing of this petition along with other petitions and also to seek three	
		months' time from the court for filing the counter affidavit.	
	16.7.2008	Para-wise comments have been prepared and sent to Shri P. Parameswaran,	
		Advocate, Supreme Court for preparation of counter affidavit of the Ministry.	
	22.8.2008	Counter Affidavit prepared and handed over to Govt. Standing Counsel for filing in	
		the Supreme Court.	
	23.8.2008	As informed by Sh. D.S. Mehra ACGSC, the Counter Affidavit has been filed in	
		Supreme Court.	

## **Status of Court Cases filed in different State High Courts:**

1	W.P. No. 21479 of 2007 filed by Shri J.V. Sharma and two others Vs. GOI and others in the High Court of Andhra Pradesh at Hyderabad	
	Date	Status
	27.2.2008	Counter-affidavit sent to the Assistant Solicitor General, High Court of Andhra Pradesh for filing in the Court.
	5.4.2008	A Transfer Petition (Civil) Nos. 414-417 of 2008 filed in the Supreme Court of India for transferring this Writ Petition, along with other writ petitions in various High Courts, to Supreme Court for combined hearing by the Apex Court.
	15.4.2008	Case came up for hearing. As per ASG, Hyderabad:
		<ul> <li>the court has orally ordered status quo.</li> </ul>
		- the High Court has not passed a formal order.
		• the process of implementing the Act may be kept on. However, distribution of land in recognition of forest rights cannot take place.
		the date 21.4.2008 for hearing of the SLP filed in the Supreme Court for transferring the Writ Petition from High Courts was brought to the notice of High Court.
	19.8.2008	The High Court passed an Interim Order, directing that (i) the process of verification of the claims shall go on, but before the certificate of title is actually issued, orders shall be obtained from the Court; (ii) as regards felling of trees for diversion of forest land under section 3(2) of the Act, the process shall go on till the clearance of such developmental projects and also the Gram Sabha's recommendation is obtained, but before the actual felling of trees, orders shall be obtained from the Court.
	29.10.2008	A draft Stay Vacation Petition was sent to ASG, Hyderabad for vetting and filing in the High Court for the purpose of vacation of the interim order passed by the High Court on 19.8.2008.

2	MP No. 1/2008 in W.P. No. 4533/2008 – V. Sambasivam Vs. GOI, Ministry of Tribal Affairs and 5 others in the High Court of Judicature at Chennai		
	Date	Date Status	
	21.2.2008	High Court, Chennai, directed not to undertake any felling of trees and not to alienate any land by issuing <i>patta</i> or by any other manner pursuant to the provisions of the Forest Rights Act, 2006 from out of the sanctuaries, national parks and bio-spheres (reserved areas) until further orders.	
	5.4.2008		
		► A Transfer Petition (Civil) Nos. 414-417 of 2008, filed in the Supreme Court of India for transferring this Writ Petition, along with other writ petitions in various High Courts, to Supreme Court for combined hearing by the Apex Court.	
	21.4.2008	The SLP came up for hearing in the Supreme Court and the Court directed that a petition may be filed in the Madras High Court for appropriate order (for vacation of the stay order).	
	30.4.2008	A counter affidavit filed in the Madras High Court Shri Parameswaran, Advocate, Supreme Court furfufffff. Learned ASG (Shri Mohan Parasaran) appeared in the Court. The Hon'ble High Court has modified its earlier order and directed that (i) the process of verification of the claims shall go on, but before the certificate of title is actually issued, orders shall be obtained from the Court; (ii) as regards felling of trees for diversion of forest land under section 3(2) of the Act, the process shall go on till the clearance of such developmental projects and also the Gram Sabha's recommendation is obtained, but before the actual felling of trees, orders shall be obtained from the Court.	
	7.11.2008	A draft Stay Vacation Petition was sent to ASG, Chennai for vetting and filing in the High Court for the purpose of vacation of the interim order passed by the High Court on 30.4.2008.	

3	Writ Petition (MD) No.533 of 2008 filed by Shri T.N.S. Murugadoss Theerthapathi Vs. Government of India, Ministry of Law & Justice and six others in the Madurai Bench of Madras High Court.		
	Date	Status	
		Ministry of Tribal Affairs has not been made a respondent to the above Writ Petition. However, since the petitioner has challenged the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the Ministry of Law & Justice and the Ministry of Environment & Forests have forwarded a copy of the petition to this Ministry for taking necessary action in the matter.	
	14.2.2008	Writ Petition came up for hearing before the Hon'ble Madurai Bench of Madras High Court. The Hon'ble Court has adjourned the hearing by two weeks for filing counter-affidavit of the respondents.	
	5.4.2008	A Transfer Petition (Civil) Nos. 414-417 of 2008 filed in the Supreme Court of India for transferring this Writ Petition, along with other writ petitions in various High Courts, to Supreme Court for combined hearing by the Apex Court.	
	6.5.2008	<ul> <li>Ministry wrote to the Central Government Standing Counsel,</li> <li>Madurai:</li> <li>to inform the Court that Act is being administered by the Ministry of Tribal Affairs</li> <li>this Ministry be impleaded as a respondent to the petition,</li> <li>to seek three months' time from the court for filing the counter affidavit.</li> </ul>	
	26.5.2008	Para-wise comments, prepared in consultation with the Ministry of Environment & Forests, sent to Central Government Standing Counsel, Madurai for preparing a draft counter affidavit. The draft affidavit is still awaited.	

4	PIL No. 21 of 2008 (PIL Sl. No. 2547 of 2008) filed by Sevanivrutta Van Karmachari Sangh (SEVAK) Vs. Union of India and Others in the High Court of Judicature at Bombay, Civil Appellate Jurisdiction		
	Date	Status	
	30.1.2008	The PIL was admitted.	
	18.2.2008	The Ministry received only a letter dated 6.2.2008 from the Ministry of Law & Justice, Department of Legal Affairs, Branch Secretariat, Mumbai intimating that Shri R.B. Raghuvanshi, learned ASG has been engaged to appear and conduct the said case. Ministry has not received a copy of the PIL from the High Court.	
	17.4.2008	Though listed, yet it did not come up for hearing and the next date is yet to be fixed.	
	10.9.2008	Para-wise comments of the Ministry sent to Additional Solicitor General, Mumbai for preparation of draft Counter Affidavit. The draft is awaited.	
5		392/2008 filed by the Karnataka Retired Forest Officers' Association, n of India, Ministry of Tribal Affairs and 4 others in the Karnataka High	
	23.4.2008	The Ministry has received the notice of the Writ Petition from the High Court of Karnataka intimating that the case is posted for hearing on 27.5.2008 at 10.30 A.M.	
	6.5.2008	Ministry has addressed the Office of the A.S.G., Supreme Court of India for filing a petition in the Supreme Court for transfer of this petition also for combined hearing along with other writ petitions.	
	27.5.2008	The matter came up before the Hon'ble High Court. After hearing the matter, the Court granted two months' time (till 27.7.2008) to file counter affidavit.	
	4.6.2009	Para-wise comments, prepared in consultation with the Ministry of Environment & Forests, sent to Central Government Standing Counsel, Bangalore for preparing a draft counter affidavit. The draft is still awaited.	
	6.6.2008	The Central Government Counsel in Karnataka High Court has also been addressed to seek three months' time for filing the counter affidavit.	

6.	Writ Petition (C) No. 4933 of 2008 filed by the Society of Retired Forest Officers, Orissa in the High Court of Orissa, Cuttack.	
	Date	Status
	11.7.2008	A copy of the Writ Petition was forwarded to the Ministry of Tribal Affairs by the Government of Orissa.
	14.7.2008	Assistant Solicitor General of India, Orissa was requested to appear before the High Court of Orissa on behalf of Union of India and plead that so long as the Transfer Petition (Civil) Nos. 414-417 of 2008 is sub-judice in the Supreme Court, this particular Writ Petition (C) No. 4933 may be kept pending. He has also been advised that in case the High Court of Orissa does not agree to this prayer, the Hon'ble High Court of Orissa may be requested not to pass any order in this Central Legislation without providing an opportunity to Government of India of being heard and to give this Ministry three months time to enable to file the counter affidavit
	23.7.2008	The Writ Petition was admitted in the High Court of Orissa. Action has been initiated for drafting para-wise comments of the Ministry. Meanwhile, Hon'ble High Court of Orissa has directed not to undertake any felling of trees and not to alienate any land by issuing patta or by any other manner pursuant to the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Act 2 of 2007) particularly from out the Sanctuaries, National Parks and Biospheres (Reserve Areas) until further orders.
	2.9.2008	Another interim order on following lines:-was passed by the High Court:-  'Vide order dated 23.7.2008, the opposite parties were directed not to undertake any felling of trees and not to alienate any land by issuing patta or by any other manner pursuant to the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, particularly from out of the sanctuaries, National Parks and Biospheres (Reserve Areas) until further orders. But that does not include the process of identity and recognition of the persons etc. which are not covered in the interim order. Therefore, the process regarding identity and recognition may go on but the final decision not be taken without the leave of this Court.'
	23.9.2008	The draft Counter Affidavit was not received from ASG, Cuttack till 17.9.2008. As the Ministry had information that the case was listed for hearing on 23.9.2008, the Ministry prepared the Counter Affidavit and filed in the High Court of Orissa, Cuttack on 23.9.2008. The case, however, did not come up for hearing on 23.9.2008.

		,
	24.9.2008	The case came up for hearing in the High Court of Orissa, Cuttack but was adjourned due to lack of Counter Affidavit from Govt. of Orissa.
	5.11.2009	A draft Stay Vacation Petition was sent to Central Govt. Standing Counsel, Cuttack for vetting and filing the same in the High Court for purpose of vacation of the interim orders passed by the High Court on 23.7.2008 and 2.9.2008.
7.	Writ Petition No. 4 M.P Bench at Indor	656 of 2008 filed by Sh. Rajesh Jauhri in the High Court of Judicature of e.
	1.9.2008	The Ministry of Tribal Affairs received a letter from Sh. R.S. Soni, Deputy Registrar, High Court of Judicature of M.P. Bench at Indore forwarding a copy of the Writ Petition challenging the vires of the letter No 17014/02/2007-PC&V (Vol. VII) dated 9th June,2008 of Ministry of Tribal Affairs issued to the State Governments and Union Territory Administrations for clarifying the implications of the phrase' primarily reside in and who depend on the forests or forest lands for bonafide livelihood needs' appearing in Sections 2(c) and 2(o) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006.
	2.9.2008	Sh. Vinay Zelewat, Assistant Solicitor General, Indore was advised by the Ministry as under by a d.o letter:  a) The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006 is a Central Legislation and therefore, on any matter connected to the Act, no judgment of the Hon'ble High Court of M.P. Bench at Indore or even an interim order can be passed in this Writ Petition without giving any opportunity to the Ministry of Tribal Affairs to file its counter affidavit. The Ministry of Tribal Affairs is the nodal agency to implement the provisions of the Act.  b) The ASG should appear before the Hon'ble High Court of M.P. Bench at Indore and plead that no order may be passed in this Writ Petition without providing an opportunity to Government of India of being heard and to give us three months time to enable to file our counter affidavit in the Writ Petition before the High Court.  c) The Ministry of Tribal Affairs is preparing the para-wise comments which would be sent to the ASG, shortly for preparing the draft counter affidavit. On receipt of the draft counter affidavit from the ASG, the Ministry will file the same before the Hon'ble High Court of Judicature of M.P. Bench at Indore.
		d) The ASG may ensure that, in the absence of this Ministry's formal

	response, the Hon'ble Court does not pass any stay/adverse orders without first hearing the Ministry of Tribal Affairs, if the above case comes up for hearing.
	e) The Ministry of Tribal Affairs had filed in the Supreme Court a Transfer Petition (Civil) Nos. 414-417 of 2008, for transfer of writ petitions filed in various High Courts and the Supreme Court for combined hearing. The ASG may appear before the Hon'ble High Court of M.P. Bench at Indore on behalf of Union of India and plead that so long as the Transfer Petition (Civil) Nos. 414-417 of 2008 is sub-judice in the Supreme Court, this particular Writ Petition No. 4656/2008 filed by Shri Rajesh Jauhari may be kept pending.
10.10.2008	The para-wise comments of the Ministry of Tribal Affairs as well as a draft Counter Affidavit were sent to the Assistant Solicitor General at Jabalpur as the Government of Madhya Pradesh informed the Ministry that the W.P was transferred to the Principal Bench of the High Court at Jabalpur.

#### Annexure-II

## Statement showing State-wise status of implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

(As on 30.11.2008)

Name of the State/UT	Activities	Status
Andhra Pradesh	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various	
	Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	3,12,564 (3,07,104 individual and 5460 community claims)
	8) No. of claims recommended by Gram Sabha to SDLC	112612
	9) No. of claims recommended by SDLC to DLC	84984
	10) No. of claims approved by DLC for title	77541
	11) Number of titles distributed	330 issued before the Court's order and 77541 are ready.
	12) No. of claims rejected	6895
	13) Projected date for distribution of title deeds	31.1.2009 (subject to Court's approval)
	14) Problems	i) Restrictive court orders ii) Lack of updated land records

Name of the State/UT	Activities	Status
Arunachal Pradesh	Department of Social Welfare has been se for implementation of the Act in the Sta not been appointed by the State Govt., til	te. However, Nodal Officer has
Assam	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Is being done
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Are being constituted.
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	February, 2009.
	14) Problems	

Name of the State/UT	Activities	Status
Bihar	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	-
	4) Creation of Awareness about the provision of the Act and the Rules	Is being created in a limited way through advertisements in local newspapers
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Out of 390 Gram Sabhas, training has been completed in about 50 Gram Sabhas
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Is in progress.
	7) No. of claims filed at Gram Sabha level	495
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	495
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	
	14) Problems	All the Government functionaries were busy in flood relief works.

Name of the State/UT	Activities	Status
Chhatishgarh	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Going on in a large scale
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	
	6) Constitution of Forest Rights Committees by the Gram Sabhas	
	7) No. of claims filed at Gram Sabha level	4.00 lakhs (approx.)
	8) No. of claims recommended by Gram Sabha to SDLC	105000 (Approx.)
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	99392
	11) Number of titles distributed	85549 titles have been distributed
	12) No. of claims rejected	9949
	13) Projected date for distribution of title deeds	June, 2009
	14) Problems	Out of 85 blocks, at least 40 blocks are affected by naxalism.

Name of the State/UT	Activities	Status
Goa	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	Proposal under consideration of Government.
	a) SDLC	
	b) DLC	
	c) SLMC	
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Is in progress.
	4) Creation of Awareness about the provision of the Act and the Rules	Has been started and going on in a large scale.
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	
	6) Constitution of Forest Rights Committees by the Gram Sabhas	
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	
	14) Problems	

Name of the State/UT	Activities	Status
Gujurat	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	82397 (individual) and 1595 (community).
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	31.3.2008
	14) Problems	

Name of the State/UT	Activities	Status
Haryana	The State Govt. has informed that there a other traditional forest dwellers living in t	
Himachal Pradesh	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	d) SDLC	Yes
	e) DLC	Yes
	f) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	No need
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes, in 142 Gram Sabhas out of 151 Gram Sabha (94%)
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	February, 2009.
	14) Problems	

Name of the State/UT	Activities	Status
Jharkhand	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	g) SDLC	Yes
	h) DLC	Yes
	i) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	2071 FRCs have been constituted.
	7) No. of claims filed at Gram Sabha level	878
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	
	14) Problems	

Name of the State/UT	Activities	Status
Karnataka	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Has been started
	6) Constitution of Forest Rights Committees by the Gram Sabhas	1148 FRCs have been constituted
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	March, 2009.
	14) Problems	

Name of the State/UT	Activities	Status
Kerala	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Elections to FRCs are in progress. 281 out of 404 FRCs have been constituted.
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	30.3.2009
	14) Problems	

Name of the State/UT	Activities	Status
Madhya Pradesh	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	2,97,000
	8) No. of claims recommended by Gram Sabha to SDLC	102789
	9) No. of claims recommended by SDLC to DLC	28602
	10) No. of claims approved by DLC for title	15251
	11) Number of titles distributed	8059 distributed and 7192 ready for distribution
	12) No. of claims rejected	4275
	13) Projected date for distribution of title deeds	January, 2009
	14) Problems	

Name of the State/UT	Activities	Status
Maharastra	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	107,863
	8) No. of claims recommended by Gram Sabha to SDLC	3,139
	9) No. of claims recommended by SDLC to DLC	39
	10) No. of claims approved by DLC for title	37
	11) Number of titles distributed	
	12) No. of claims rejected	2
	13) Projected date for distribution of title deeds	31.3.2009
	14) Problems	
Manipur	Reasons why no action has been initiated are not available nor were they forthcomin on 11.11.2008.	-

Name of the State/UT	Activities	Status
Meghalay	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Translation of the Act in local languages is held up on account of non-availability of the Act's legal lexicon in local languages
	4) Creation of Awareness about the provision of the Act and the Rules	Is being done
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	
	6) Constitution of Forest Rights Committees by the Gram Sabhas	
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	
	14) Problems	

Name of the State/UT	Activities	Status
Mezoram	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	No
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	No
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	
	14) Problems	The Act is to be approved by the State Legislative Assembly as per the Article 371 (G) of the Constitution.
Nagaland	Government of Nagaland has informed the village system of the Naga people is poland owners. There are no tribes or grout the State of Nagaland. Hence, the Traditional Forest Dwellers (Recognition se may not be applicable to the State of N	eculiar in that the people are the up of people or forest dwellers in Scheduled Tribes and Other of Forest Rights) Act, 2006 per

Name of the State/UT	Activities	Status
Orissa	1) Appointment of a Nodal officer	Yes
	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights	Yes, in 45684 villages out of
	Committees by the Gram Sabhas  7) No. of claims filed at Gram Sabha	46515 villages 226080
	level	
	8) No. of claims recommended by Gram Sabha to SDLC	137362
	9) No. of claims recommended by SDLC to DLC	5394
	10) No. of claims approved by DLC for title	399
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	
	14) Problems	1. Forest land in the State is un-surveyed & detailed maps/records are not available. 2. Illeterate tribal people residing in remote areas find it difficult to procure authorized copy of Caste/Community in support of their claims. 3. Lack of trained manpower & survey equipment thereby hampering vetting of claims. 4. Restrictive Court order.

Name of the State/UT	Activities	Status
	1) Appointment of a Nodal officer	Yes
Rajastan	2) Status of formation of various Committees	
•	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	34,417 (including 2 community claims)
	8) No. of claims recommended by Gram Sabha to SDLC	8947
	9) No. of claims recommended by SDLC to DLC	2704
	10) No. of claims approved by DLC for title	2043
	11) Number of titles distributed	321 pattas distributed and 1722 claims ready but are withheld owing to the coming into force of model code of conduct for elections.
	12) No. of claims rejected	230
	13) Projected date for distribution of title deeds	31.3.2009 (Due to State Assembly election)
	14) Problems	Issue of <i>pattas</i> is withheld owing to the coming into force of model code of conduct for elections.

Name of the State/UT	Activities	Status
Sikim	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)	
	1) Appointment of a Nodal officer	Yes
Tamilnadu	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Has started in a limited way
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	-
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Work of setting up FRCs has started. Gram Sabha meetings convened on 15.08.2008
	7) No. of claims filed at Gram Sabha level	1080
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	31.1.2009 (subject to Court's approval)
	14) Problems	Restrictive Court order.

Name of the State/UT	Activities	Status
	1) Appointment of a Nodal officer	
Tripura	2) Status of formation of various Committees	
	a) SDLC	
	b) DLC	
	c) SLMC	
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Workshop organized for the officials of PRI/SDLC/DLC.
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	53554
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	15.01.2009
	14) Problems	

Name of the State/UT	Activities	Status
	1) Appointment of a Nodal officer	Yes
Uttar Pradesh	2) Status of formation of various Committees	Different Committees were scheduled to be framed by 30 <sup>th</sup> June, 08, however, no confirmation of the same has been received.
	a) SDLC	
	b) DLC	
	c) SLMC	
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	No need
	4) Creation of Awareness about the provision of the Act and the Rules	15000 copies of the Act and the Rules have been printed and distributed to different departments. For awareness generation, they are distributing these copies at different levels.
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Has started
	6) Constitution of Forest Rights Committees by the Gram Sabhas	
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	31.1.2009
	14) Problems	

Name of the State/UT	ate/UT Activities Status	
	1) Appointment of a Nodal officer	Yes
Uttarakhand	2) Status of formation of various Committees	No
	a) SDLC	
	b) DLC	
	c) SLMC	
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	
	4) Creation of Awareness about the provision of the Act and the Rules	
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	
	6) Constitution of Forest Rights Committees by the Gram Sabhas	
	7) No. of claims filed at Gram Sabha level	
	8) No. of claims recommended by Gram Sabha to SDLC	
	9) No. of claims recommended by SDLC to DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title deeds	31.1.2009
	14) Problems	Formation of committees could not be done earlier due to the coming into force of model code of conduct for elections.

Name of the State/UT	Activities	Status
	1) Appointment of a Nodal officer	Yes
West Bengal	2) Status of formation of various Committees	
	a) SDLC	Yes
	b) DLC	Yes
	c) SLMC	Yes
	3) Translation of the Act and the Rules into the regional languages and distribution to Gram Sabha, FRCs etc.	Yes
	4) Creation of Awareness about the provision of the Act and the Rules	Yes
	5) Arrangements made for the training of PRI officials, SDLC, DLC members	Yes
	6) Constitution of Forest Rights Committees by the Gram Sabhas	Yes
	7) No. of claims filed at Gram Sabha level	1,37,825 (1,34,977 individual claims and 2848 community claims)
	8) No. of claims recommended by Gram Sabha to SDLC	14,503 (14,328 individual and 175 community claims) verified and 25 cases sent to SDLC
	9) No. of claims recommended by SDLC to DLC	19
	10) No. of claims approved by DLC for title	5
	11) Number of titles distributed	5
	12) No. of claims rejected	987
	13) Projected date for distribution of title deeds	31.02.08
	14) Problems	Some delay occurred initially owing to the Panchayat elections in the State.

Name of the State/UT	Activities	Status
Name of the State/O1	1) Appointment of a Nodal officer	Yes Status
A O NIT I I	2) Status of formation of various	168
A & N Islands	Committees	
	) ODIO	Yes
	a) SDLC b) DLC	Yes
	c) SLMC	No
	,	
	3) Translation of the Act and the Rules into the regional languages and	Translation has been completed but publication of the translated
	distribution to Gram Sabha, FRCs etc.	version yet not done.
	4) Creation of Awareness about the	Yes
	provision of the Act and the Rules	Tes
	5) Arrangements made for the training of	Under process
	PRI officials, SDLC, DLC members	Chaci process
	THE officials, oblic, blic members	
	6) Constitution of Forest Rights	
	Committees by the Gram Sabhas	
	7) No. of claims filed at Gram Sabha level	
	,	
	8) No. of claims recommended by Gram	
	Sabha to SDLC	
	9) No. of claims recommended by SDLC to	
	DLC	
	10) No. of claims approved by DLC for title	
	11) Number of titles distributed	
	12) No. of claims rejected	
	13) Projected date for distribution of title	
	deeds	
	14) Problems	The Andaman & Nicobar
		Administration has informed that
		in A&N Islands there are no non-
		tribal forest dwellers as defined in
		the Act. The Act is applicable
		only to the Forest Dwelling
		Scheduled Tribes of these islands.
		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.

	m Alice CD OD	1 1 0 1.	
Daman & Diu	The Administration of Daman & Diu has made a reference		
	Ministry that the term "State Government" has not been defined under		
	the Act or the Rules thereof. As Daman & Diu is a UT, they have not been able to constitute the prescribed Committees for implementing the Act. The Administration has requested that the term "State Government"		
	may be defined that the State Govern		
	Territories is the Administrator appoin	nted under Article 239 of the	
	Constitution of India.		
	The Ministry has referred the issue to the Ministry of Law & Justice for their advice.		
Dadra & Nagar	1) Appointment of a Nodal officer	Yes	
Haveli			
	2) Status of formation of various		
	Committees		
	a) SDLC	Yes	
	b) DLC	Yes	
	c) SLMC	Yes	
	3) Translation of the Act and the Rules	Has been completed	
	into the regional languages and		
	distribution to Gram Sabha, FRCs		
	etc.		
	4) Creation of Awareness about the	Has been started and is going	
	provision of the Act and the Rules	on	
	5) Arrangements made for the training	Has started	
	of PRI officials, SDLC, DLC		
	members		
	6) Constitution of Forest Rights		
	Committees by the Gram Sabhas		
	7) No. of claims filed at Gram Sabha		
	level		
	8) No. of claims recommended by Gram		
	Sabha to SDLC		
	9) No. of claims recommended by		
	SDLC to DLC		
	10) No. of claims approved by DLC for		
	title		
	11) Number of titles distributed		
	12) No. of claims rejected		
13) Projected date for distributio			
	title deeds		
14) Problems			
Lakabadawa	The UT Administration has intimated,	vide letter dated 6.2.2008, that	
Lakshadweep	there are no terrestrial forests and no forest tribes or traditional forest		
	dwellers in Lakshadweep.		
	an onoro in Landina woop.		

#### Annexure-III

# Statement of claims and distribution of title deeds under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

(As on 30.11.2008)

S. No	State	Claims Received	Title deeds Distributed
1.	Andhra Pradesh	3,12,564	330 distributed before the receipt of court order and 77,541 ready.
2.	Arunachal Pradesh		
3.	Assam		
4.	Bihar	495	
5.	Chhattisgarh	4,00,000 (approx.)	85,549 distributed
6.	Goa		
7.	Gujarat	83,992 ( 82,397 individual claims plus 1595 community claims)	
8.	Himachal Pradesh		
9.	Jharkhand		
10.	Karnataka		
11.	Kerala		
12.	Madhya Pradesh	2,97,000	8059 distributed and 7192 ready.
13.	Maharashtra	107,863	
14.	Manipur		
15.	Meghalaya		
16.	Mizoram		
17.	Orissa	77,894	
18.	Rajasthan	34,417	321 issued and 1722 ready.

S. No	State	Claims Received	Title deeds Distributed
19.	Sikkim		
20.	Tamil Nadu	1080	
21.	Tripura	53554	
22.	Uttar Pradesh		
23.	Uttaranchal		
24.	West Bengal	1,37,825	5 only
25.	A & N Islands		
26.	Daman & Diu		
27.	Dadra & Nagar Haveli		
	Total	15,06,684	94,264 issued and 86,455 ready

Source: www.tribal.nic.in

#### N.B.:

There is no change in the contents of the report. FRA Facilitating and Monitoring Cell is re-formatted the report.