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A FRAud on forest dwellers?

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Lucknow: Sonbhadra district, projected as a role model for implementation of the Forest Rights Act (FRA) by the state government, has landed in a controversy following allegations that land ownership titles given to tribals do not have any legal validity. Further, in many cases land given is less than the claim filed. The charges also include that claims filed under other forest dependents category were rejected arbitrarily by the authorities concerned.

The FRA 2006 provides for individual and community ownership of forest land to tribals and communities dependent on forests for their livelihood. So far, the state received over 73,750 claims against which land ownership titles have been distributed to around 12,140 tribals. The maximum over 64,570 claims were filed from Sonbhadra alone but 55,980 have been rejected and only 8,691 people got land against claims. Those who got ownership titles said that it had no legal validity as distribution of land had been done without mapping. It is written on the document that titles will be applicable only after the GPS mapping, that is, satellite-based mapping through Geographical Positioning System.

According to Kaimur Mahila Mazdoor Sandharsh Samiti, a body of tribal women fighting for their rights for past one decade, the land titles given are also less than the claimed filed. For example, Ram Sakal Gond, resident of Manbasa village in Dwidhi tehsil of Sonbhadra had filed the claim on the 16 bighas land cultivated by him since long but he got title of only four bighas. It is also written on the title that it will be applicable after GPS mapping. Similar complaints also poured in from other villages. The National Forum for Forest People and Forest Work-

In a soup



OBJECTIONS

- ▶ As per Act gram sabhas are authorised to verify claims but applications are being rejected by other bodies on forest department's recommendation
- ▶ Forest mafia, police and officials have spread a rumour that only tribals will get titles leading to tension between the Dalits and the tribals
- ▶ Contractors and local forest officials are driving out forest dwellers from their land so that they can continue illegal mining and felling of trees

DEFENCE

- ▶ Authorities say that a gang is operating instigating people to file false claims and promising that they will get the ownership titles of land.
- ▶ Administration did review of complaints regarding anomalies in 'rejection and acceptance of claims' but found that decision taken was as per law
- ▶ Authorities also say that extra care is being taken to ensure that right persons get benefit of the Act instead of outsiders through fraud

Another anomaly which reportedly has surfaced is that the people were issued wrong caste/tribe certificates. The NFFPFW, in its memorandum, has cited the example of one Ram Bali in village Basauli who got land title but his brother did not because the latter was issued certificate of Bhumihar caste. Most of the claims rejected are of forest workers. The FRA states that forest workers living on forest land for three generation will have the right to land. But many poor forest dwellers have no documentary record to support their claims.

ers (NFFPFW), an umbrella body of various tribal and forest workers, has also made similar complaints in its memorandum to state government.

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Also, claimants have not been informed that their claims had been rejected. As a result, claimants have not been able to file an appeal against the rejection.

Denying all allegations, district magistrate, Sonbhadra, Pandhari Yadav, said that GPS mapping was being done for accuracy and it would be complete in the next two months.

The titles given to tribals are legally valid, he added. Regarding rejection claims, he said that settlements made in 1984 following a Supreme Court order has been made the basis of examining claims. "There were many cases in which a family had filed several claims — one in the name of father and others on behalf of sons, hence extra claims were rejected," he said. In some cases, applicants had made claims on gram sabha land instead of forest as per the Act, he added. Review of complaints are also being done, he said.