

**GOVERNMENT OF ODISHA
ST & SC DEVELOPMENT DEPARTMENT**

No. 21398 / SSD, Bhubaneswar Date 07-12-2019.
STSCD-FRA-PG4-0019-2018

From

Dr. Nruparaj Sahu, OAS(S),
Joint Secretary to Government

To

The PA, ITDA, Keonjhar

Sub:- Grievance petition of villagers of Prahaladpur, GP Bhanarpur under Harichandanpur Block of Keonjhar District for reconsideration of the rejected claims filed under F R Act, 2006 and Amendment Rules, 2012.

Ref:- (1) Your Office letter No. 4532/ITDA dated 02.11.2019
(2) This Department's Memo No.17140/SSD dated 04.10.2019
(3) Letter bearing No. 1376(30) /E&P dated 24.06.2017 of the Director, SCSTRTI addressed to all districts.

Sir,


In inviting a reference to your office letter dt.02.11.2019 on the above mentioned subject, I am directed to state that it has been reported that all the 34 OTFD cases have been finally rejected as they could not produce the evidence of occupation over the land for 75 years prior to 13.12.2005.

In this regard, I am to state that Section 4(3) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 indicates about the eligibility criteria for vesting of forest rights and it enumerates that the recognition and vesting of forest rights to the STs and OTFDs shall be subject to the conditions that such STs or Tribal Communities or OTFDs had occupied forest land before the 13th day of December, 2005. Besides, the FAQ on FRA compiled by the MoTA & UNDP communicated to all districts vide letter No.1376 (30)/E & P dated 24.06.2017 of the Director, SCSTRTI and also vide this Department's Memo No.17140/SSD dated 04.10.2019 at page-7 lays down the eligibility criteria for FDSTs and OTFDs in detail and the clarifications indicated in it needs to be followed scrupulously while considering the claims of the OTFDs in particular.

You are therefore, requested to look into the matter on priority and initiate needful action as per the provisions of the Forest Rights Act, 2006 and its Amendment rules, 2012 for the larger interest of the eligible claimants. Action Taken Report thereof may please be furnished to this Department within a fortnight positively for kind appraisal of the competent authorities.

This may please be treated as **MOST URGENT**.

Yours faithfully,


Joint Secretary to Government

P.T.O.

Memo No. 21399 / SSD, Dt. 07-12-2019.

Copy sent to the Collector, Keonjhar for information and necessary action.

Joint Secretary to Government 

Memo No. 21400 / SSD, Dt. 07-12-2019.

Copy sent to all the Nodal Officers under FRA (9 PAs, ITDA & 21 DWOs) (Except Keonjhar) for information and necessary action. They are requested to adhere to the provisions of the FRA, 2006 and its Amendment Rules, 2012 scrupulously while reviewing the rejected IFR claims at the SDLC/DLC level.

Joint Secretary to Government 