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HC stay on forest act plea

OUR CORRESPONDENT



Orissa High Court

Cuttack, July 16: Orissa High Court today reserved its judgment on a PIL presented by the Retired Orissa Forest Officers' Society that challenged the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

However, before the two-judge bench of Acting Chief Justice I.M. Qudussi and Justice Sanju Panda reserved its verdict, the government presented its predicament over the distribution of land *pattas* to tribal citizens, because of an interim restriction imposed nearly a year ago on the implementation of the Act.

Advocate-general Ashok Mohanty stated that land deeds were pending distribution though the final recognition of rights was over.

In an interim order presented in July 2008 on the officers' PIL, the court had allowed the state to continue with the implementation of the act, but had imposed restrictions on issuance of title deeds, especially in national parks and biosphere reserves.

For the first time, an act was recognising and vesting forest rights and occupation over forestland to Scheduled Tribes and traditional forest dwellers residing in jungles for generations.

The hold over land and forest are important issues in the state since tribal people account for more than one-fifth of the population. Nearly 40,000 tribal people are slated to benefit from the act, while 20,000 would receive forestland in southern Orissa districts such as Koraput, Kalahandi and Kandhamal.

In fact, revenue minister Surya Narayan Patra had already announced that the government would grant land deeds to citizens in jungles under the Forest Rights' Act as soon as the stay on it was vacated by the high court.

