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Tribals to get 'pattas' for 4 lakh acres

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HYDERABAD: The AP High Court on Friday accorded permission to the state government to grant 'pattas' for 4 lakh acres to tribals and others living in forest areas of the state in accordance with the provisions of the Recognition of Forest Rights Act, 2006. The division bench comprising Justice B Prakasa Rao and justice R Kantha Rao issued the interim order in a petition filed by retired forest officials J V Sharma and others who challenged the provisions of the Act.

The Act, which is facing a legal battle ever since its inception, is seeking to confer rights over forest land to the tribals and others who are in possession of those lands. Rights will be conferred to both individuals and community also. Under community rights, forest dwellers can now have grazing rights even in reserve forest areas. For non-tribals to get dwelling rights, they have to prove that they are living in the forest area for three generations or 75 years. For tribals, if they show proof of their existence just prior to 2005, it is sufficient.

The petitioners challenged this Act saying that it would destroy forests in the state. The state government opposed the petition and said the act was brought in to protect the forests. Advocate K Balagopal of the Human Rights Forum arguing for the cause of tribals told the court that this indeed is a progressive legislation which needs to be implemented. The court had earlier stayed the implementation of the act and directed the state government to process the claims for such rights and come to it for granting of pattas.

The government later came forward with 1.14 lakh claims, both individual and community claims, covering 4 lakh acres. The high court permitted the state government to grant pattas in all these claims with a condition that this would be subject to the final outcome of this writ petition.

N Madhusudan, a forest rights activist told TOI that all the tribal groups in the state welcomed the HC order which came as a big relief for the tribals who have been facing a threat of eviction despite living in the forests for centuries together. This Act is the first of its kind in the Indian history which recognised the dwelling rights in the forest areas.

This Act which transfers the job of forest governance to the gram sabhas in forest villages will go a long way in protecting both forests and wild life attached to it because forests and tribals are inseparable and have been living in harmony with each other, Madhu said. The state government has to do a lot more in respect of community rights and the process of considering claims should be an ongoing process, he added.

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