

**Government Of Maharashtra
Tribal Development Department,
Mumbai.**

Action Plan

**For the implementation of Forest Rights Act 2006
in view of the amendments made in the
Forest Rights Rules 2008.**

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Summary of Achievements on implementation of FRA.

Sr. no.	Particular	Total no. of claims received	Total no. of claims Disposed	Total no. of claims Sanctioned (original + Appeals)	Area in claims sanctioned (Acres)	Total no of titles Distributed
1	Individual u/s 3(1)	3,39,095	3,36,284	1,40,324	302445.54	1,30,063
2	Community u/s 3(1)	4,955	4675	2,745	705869.70	1,571
Total		344050	340959	143069	1008315.24	131634

Action Plan for Training and Awareness Raising on FRA

- ❖ The Gram Sabhas will be given the copies of Revised Rules-2012 in local language (i.e. Marathi) as well as in English and also will be made available on the departmental web site www.mahatribal.gov.in. Publicity to the Revised Rules 2012 will be given through Hand bills, Posters etc.
- ❖ Form “C” of Revised Rules 2012 will be circulated among all 15002 Forest Rights committee & get it filled through the concerned District Collectors. Help of Civil Society & NGO will be taken in this regard.
- ❖ As per the regional workshop held at Nagpur necessary instructions have been given to the Revenue Department & Forest department regarding this.
- ❖ Also all the District Collectors & Sub-Divisional Officers have been asked to create awareness among the Gram Sabha under their jurisdiction to formulate the said committee.
- ❖ State Level Workshop will be organized in the month of January 2013.

Action Plan for formation of Forest Rights Committees

Total Tribal Population (census 2001) in Maharashtra. Male – 43.48 lac Female - 42.29 lac	85.77 lac
Percentage of Tribal Population to the Total Population.	8.85%
State Level Monitoring Committee Mumbai.	1
District Level Committee for FRA.	28
Sub-Divisional Level Committee for FRA.	94
Gram Sabha Level Committee for FRA.	15002

Action Plan for formation of Forest Rights Committees

- ❖ All the concerned sub-Divisional officer have been asked to prepare a list of all hamlets / habitations in all Gram Panchayat in Forest areas in their jurisdiction.
- ❖ All the concerned Gram Sabha have been asked to formulate the committee under Rule 4(I) (e) to protect wildlife, forest & bio diversity.
- ❖ Instruction have been issued to all the District Collectors to constitute Committees under rule 4(I) (e) for protection of wildlife, forest and biodiversity.

Formation of District Level Committee and Sub Divisional Level Committee

State Level Monitoring Committee Mumbai.	1
District Level Committee for FRA.	28
Sub-Divisional Level Committee for FRA.	94
Gram Sabha Level Committee for FRA.	15002

Action Plan for Community Forest Resource Rights

❖ All the District Collectors & Sub-Divisional Officers have been asked to create awareness among the Gram Sabha under their jurisdiction to formulate the committee under Rule 4 (1) (e) to protect, regenerate, conserve the community Forest resources which they have been traditionally protecting and conserving for sustainable use.

Community Forest Rights

* Position of Community Forest Rights u/s 3(1) as on 31/10/2012

Claims Received	Claims Approved	Titles Distributed	Balance title	Time frame for Completion
4955	2745	1571	1174	31/03/13

- ❖ There are 15002 village level FRCs. Out of these 4955 FRCs have filed claims up to 31/10/2012.
- ❖ All the concerned district Collectors have been asked to take a review of total number of FRCs constituted under their jurisdiction & contact to the FRCs who have yet not submitted the claims for community Forest Rights. To facilitate this they have been asked to provide necessary forms to the FRCs.

Habitat, Forest Villages, Pastoralists

- ❖ There are 3 Primitive Tribes (Particularly vulnerable Tribes) in Maharashtra State viz. Katkari, Kolam, & Madia Gond.
- ❖ Instructions have been issued to all the Additional Commissioners, Tribal Development & Project Officers Integrated Tribal Development Project to give the benefits of Individual Beneficiary Schemes under Tribal Development Department to the people who have got land under Forest Rights Act. e.g. oil Engine / Electric motor, HDPE pipe, Mith animals etc.
- ❖ Also a 5 years Community Conservation Development (CCD) plan of Primitive Tribal Groups is being drawn up. Special attention will be given to include the Primitive Tribal Group Beneficiary under Forest Rights Act in that plan.

Habitat, Forest Villages, Pastoralists

❖ There are no forest villages except 73 in Nandurbar District. The District Collector Nandurbar has been asked to convert these 73 forest villages into Revenue Villages. But as per information received from Collector Nandurbar the matter of conversion of these forest villages into revenue villages is sending in Hon'ble Supreme Court. He has been asked to furnish latest position of the case as well as to do further necessary action.

❖ Instructions have been issued to District Collectors and Sub-divisional Officer to cover uncovered hamlets / habitations & finalization of the list of hamlets & habitations for the process of recognition & vesting of Rights in these hamlets, habitations is under taken without disturbing any Rights, already recognized.

Individual Rights

- ❖ Out of the total **3,39,095** individual claims filed up to 31/10/2012, **336284** claims have been disposed.
- ❖ There is a provision for appeal. Up to 31/10/2012, **93088** appeals have been filed before District Level Committee and **43261** appeals before Sub-Divisional Level Committee.
- ❖ To facilitate speedy disposal of appeals Additional Collectors have been given the powers to hear the cases along with district Collectors.

Individual Rights

*** Position of 7/12 Extract distributed as on 31/10/212.**

	Claims Approved (Original + Appeals)	Titles Distributed	Balance title	Time frame for Completion	7/12 Extract distributed	Balance 7/12 Extract	Time frame for Completion
Total	140324	130063	10261	31/12/12	23952	107054	31/03/13

*** Position of Measurement of Forest land as on 31/10/212.**

	Claims Approved (Original + Appeals)	Claims Received for Measurement	Claims not Received for Measurement	Claims Measured	Claims balance for Measurement	Time frame for Completion for Measurement
Total	140324	112144	28180	42582	69562	31/03/13

Note: Individual Claims 1,04702+ Appeals 35622. Total Approved Claims- 140324

Protected areas

- ❖ There are 05 National Parks & wildlife sanctuaries 20 in Maharashtra.
- ❖ The process of recognition of rights in National Park & wild life sanctuary has begun in Maharashtra National Park wise & wild life sanctuary wise details have been sought from the concerned District Collectors.
- ❖ National Park / Municipal Corporation Area – As per the letter of commissioner, Tribal Research and Training Institute Pune dated 6/10/09 a clarification was sought from the Secretary, Ministry of Tribal Affairs, New Delhi, regarding applicability of Forest Rights Act in forest land lying in Municipal Corporation Stating that. Although Forest Rights Committee and Gram Sabha can be formed in Municipal Corporation area provide the definition of village contained in Panchayat Extension Scheduled Area act 1995 is used, the Sub Divisional Level Committee & District Level Committee can not be formed if one goes strictly as per the related provisions of the Forest Rights Act 2006.
- ❖ Accordingly it was clarified by a letter dated 4th March, 2010 that as the Sub Divisional Level Committee & District Level Committee can not be formed in the Municipal Corporation area of the state as per the provisions of the Act, the Act can not be implemented in the concerned Municipal Corporation area of the state.
- ❖ As such these villages are deprived of the benefits of this Act e. g. Sanjay Gandhi National Park, Boriwali, Mumbai.

Action Plan for Grievance Redressal

(As per MoTA Guidelines issued on 12.07.12)

- ❖ All the concerned district Collectors, Sub-Divisional Officers, Additional Commissioner Tribal Development & Project Officer Integrated Tribal Development Project. have been asked to form **Grievance Redressal Cell** in their respective offices.
- ❖ These cells will be given wide publicity. Also these will be communicated to the concerned Gram Sabha.

Action Plan for Review of Rejections

❖ So as to facilitate the filing of appeals a letter dated 9th February, 2011 has been issued to all the concerned District Collectors to get the appeals filed at **free of cost** at the Tahsil level as well as District level Setu Kendras.

❖ To facilitate speedy disposal of cases the Additional Collectors have been given the powers to hear the cases under this Act by Government of Maharashtra vide letter dated 14th February, 2011.

❖ In the meeting dated 1/7/2011 Hon'ble Chief Secretary has instructed that claims should not be rejected in a hurry, before thorough scrutiny.

Action Plan for Review of Rejections

* Position of appeals as on 31/10/2012.

Claims rejected at Gram sabha level	Sub- Divisional Level Committee			
	Appeals received	Appeals rejected	Appeals Allowed	Appeals Pending
50541	43261	22988	19227	1046

Claims rejected at Sub- Divisional Level Committee	District Level Committee			
	Appeals received	Appeals rejected	Appeals Allowed	Appeals Pending
176237	93377	15839	35622	31437

Action Plan for Review of Rejections

	Categories-wise rejection of claims (A to F)						Total
	a Non-availability of written records	b Non-availability of other criteria specified in rule-13	c Non-Possession of forest land	d Non-occupation on the date relevant to the Act	e Multiple claimants	f Doubtful tribal status	
Total	95472	38772	11892	23103	1197	1396	171832

Strategy for Monitoring and Evaluation

- ❖ Monthly progress reports are sought from Sub-Divisional Level Committee & District Level Committee. At State Level Monitoring Committee review of progress report is taken and necessary instructions are issued to the Sub-Divisional Level Committee & District Level Committee & other line Departments.
- ❖ Concerned Sub-Divisional officers and District Collectors are responsible at Sub-Divisional Level Committee & District Level Committee respectively.

Strategy for Post Recognition of Rights Support

- ❖ As per the decision taken in the State Level Monitoring Committee Mumbai dated 11/10/2012 all the District Collectors have been instructed vide letter dated 23/05/2012 & dated 3/10/2012 to give the benefits of existing schemes ie. Wells under National Rural Employment Grantee Act (NREGA) plantation under National Horticulture Management etc. to the beneficiaries of the Forest Rights Act.
- ❖ All the Project officers & Additional Commissioner Tribal Development have been instructed vide letter dated 15/03/2012 & 08/11/2012 to give benefits of the Schemes of Tribal Development Department preferentially to the beneficiary of the Forest Rights Act ie. Oil Engine, Motor pump, HDPF pipe etc.
- ❖ A comprehensive proposal has been submitted to the Govt. of Maharashtra For giving benefits to the beneficiaries of Forest Rights Act.

Final Commitments from the State

- ❖ State level Monitoring Committee meeting was held under the chairmanship of Hon'ble Chief Secretary of Maharashtra on 11/10/2012. During the meeting all the concerned District Collectors were given instructions via video conferencing regarding Revised Rules 2012 & the targets to be achieved up to March 2013.
- ❖ The revised rules 2012 have been circulated among all the concerned District Collectors as well as all line departments viz. Revenue, Rural Development Department, Forest etc.
- ❖ Also as per the resolutions in the State level Monitoring Committee meeting held on 11/10/2012 necessary instructions have been given to the concerned District Collectors for disposing the pending cases as well as for getting filed the cases under Community Rights & Diversion of forest land for public purposes.
- ❖ Translation of Amended Rules 2012 in local language is being done.
- ❖ Quarterly meeting of State level Monitoring Committee will be held regularly.

**Gramsabha
Mendha (Lekha)
Tah. Dhanora. Dist. Gadchiroli**

- ❖ Total population of the village is around 500.
- ❖ The village got the community forest rights way back in 2009
- ❖ 80% households use biogas.
- ❖ The village is involved in JFM programme from 1992.
- ❖ Women and men SHGs have been formed.
- ❖ Value addition to MFPs has being done.
- ❖ A village fund has been created from the money received from sale of Community Forest produce.

- ❖ The village has introduced a innovative practice of extracting honey from honeycomb.
- ❖ 98% of Community Rights cases are from Gadchiroli.
- ❖ Working through consensus and concentration.
- ❖ Gram Sabha harvested 19000 bamboos.
- ❖ Gram Sabha got a Pan Cards, Vat Number and asking for trading.

THANK YOU