

GOVERNMENT OF INDIA  
MINISTRY OF TRIBAL AFFAIRS  
**LOK SABHA**  
**UNSTARRED QUESTION NO- 2938**  
TO BE ANSWERED ON- 07/08/2023

**FOREST RIGHTS ACT, 2006**

2938. SHRI SYED IMTIAZ JALEEL:

Will the Minister of TRIBAL AFFAIRS be pleased to state :

- (a) whether the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is applicable in Protected Areas;
- (b) whether these rights are recognized in existing protected areas;
- (c) the list of claims and titles provided under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, protected area-wise;
- (d) the list of community forest resource rights and individual rights separately;
- (e) the details of the total area claimed and vested under the said Act;
- (f) the number of Individual Forest Rights titles under the said Act have been distributed in Protected Areas in the country; and
- (g) the total area distributed in the protected areas?

**ANSWER**

MINISTER OF STATE FOR TRIBAL AFFAIRS  
(SHRI BISHWESWAR TUDU)

**(a) & (b):** As per Section 3(1) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in short FRA) read with Section 2(d) thereof, seeks to recognize and vest forest rights (both individual and community) in Forest Dwelling Scheduled Tribes (FDSTs) and Other Traditional Forest Dwellers (OTFDs) as defined under Section 2(c) & 2(o) of FRA respectively in the land of any description falling within any forest area and includes unclassified forests, undermarked forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks. The Act strives to undo the historical injustice meted out to forest dwelling communities by recognizing their rights over the land, forest and natural resources that they conserved and managed traditionally for generations.

**(c) to (g):** As per FRA and rules made there under State Governments / UT Administrations are responsible for implementation of various provisions of the Act. The State Governments /UT administrations submit the Monthly Progress Reports (MPRs) to this Ministry regarding implementation of FRA. The MPR, inter alia, contains State-wise data regarding individual and community claims filed, titles distributed, claims rejected, extent of forest land for which titles

distributed. State-wise consolidated details of number of claims received and titles distributed for individual and community rights under FRA upto 31.03.2023 is at **Annexure 1**. Detail of total area claimed is not maintained centrally.

Out of the rights enumerated under Section 3(1) (a) to (m) of FRA, the rights listed in clauses (b), (c), (d), (e), (h), (i), (j), (k) and (l) thereof have been defined as “community rights” under Rule 2(c) of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007 as amended in 2012. Rights under Section 3 (1) (i) of FRA relates to rights to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use, which is defined under Section 2(a) and reads as below:

"community forest resource" means customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities, including reserved forests, protected forests and protected areas such as Sanctuaries and National Parks to which the community had traditional access;"

List of rights as provided under Section 3(1) of FRA is at **Annexure 2**.

The protected area-wise list of claims and titles provided under FRA is not centrally maintained.

**Annexure-1**

**Annexure1 referred to in reply to part (c) to (g) of Lok Sabha Unstarred Question No. 2938 for answer on 07.08.2023  
State wise details of claims received, titles distributed and the extent of forest land for which titles distributed  
(individual and community), as on 31.03.2023**

S. No.	States	No. of Claims received upto 31.03.2023			No. of Titles Distributed upto 31.03.2023			Extent of Forest land for which titles distributed (in acres)		
		Individual	Community	Total	Individual	Community	Total	Individual	Community	Total
		1	2	3	4	5	6	8	9	10
1	Andhra Pradesh	2,81,431	3,294	2,84,725	2,22,832	1,822	2,24,654	4,49,377	5,26,454	9,75,831.00
2	Assam	1,48,965	6,046	1,55,011	57,325	1,477	58,802	NA/NR	NA/NR	NA/NR
3	Bihar	8,022	NA/NR	8,022	121	0	121	NA/NR	NA/NR	NA/NR
4	Chhattisgarh	8,77,173	50,988	9,28,161	4,57,145	45,965	5,03,110	9,19,324.13	49,47,209.61	58,66,533.74
5	Goa	9,758	378	10,136	472	13	485	884.37	18.16	902.53
6	Gujarat	1,82,869	7,187	1,90,056	91,686	4,597	96,283	1,56,924.55	12,36,490.19	13,93,414.74
7	Himachal Pradesh	2,746	275	3,021	129	35	164	5.96	4,741.80	4,747.76
8	Jharkhand	1,07,032	3,724	1,10,756	59,866	2,104	61,970	1,53,395.86	1,03,758.97	2,57,154.83
9	Karnataka	2,85,874	5,863	2,91,737	14,782	1,345	16,127	19,998.38	36,340.52	56,338.90
10	Kerala	44,080	964	45,044	27,665	190	27,855	36,647.40	7,61,489.62	7,98,137.02
11	Madhya Pradesh	5,85,326	42,187	6,27,513	2,66,609	27,976	2,94,585	9,02,750.46	14,63,614.46	23,66,364.92
12	Maharashtra	3,87,857	11,358	3,99,215	1,96,969	8,301	2,05,270	4,55,382.76	32,78,880.77	37,34,263.54
13	Odisha	6,31,951	15,461	6,47,412	4,56,003	7,810	4,63,813	6,68,661.95	3,74,138.47	10,42,800.42

14	Rajasthan	1,11,285	2,697	1,13,982	48,515	593	49,108	68,312.90	52,300.30	1,20,613.20
15	Tamil Nadu	34,877	2,584	37,461	10,536	531	11,067	9,626.44	NA/NR	9,626.44
16	Telangana	2,04,176	2,808	2,06,984	97,434	102	97,536	3,10,916.00	3,631.00	3,14,547.00
17	Tripura	2,00,557	164	2,00,721	1,27,931	101	1,28,032	4,65,192.88	552.40	4,65,745.28
18	Uttar Pradesh	92,577	1,162	93,739	18,049	861	18,910	19,190.27	1,20,776.00	1,39,966.27
19	Uttarakhand	3,587	3,091	6,678	184	1	185	0.00	0.00	0.00
20	West Bengal	1,31,962	10,119	1,42,081	44,444	686	45,130	21,014.27	572.03	21,586.29
21	Andaman & Nicobar Islands	0	0	0	0	0	0	0.00	0.00	0.00
22	Ladakh	0	0	0	0	0	0	0.00	0.00	0.00
23	Jammu & Kashmir	32,207	10,224	42,431	315	4,190	4,505	NA/NR	NA/NR	NA/NR
<b>TOTAL</b>		<b>43,64,312</b>	<b>1,80,574</b>	<b>45,44,886</b>	<b>21,99,012</b>	<b>1,08,700</b>	<b>23,07,712</b>	<b>46,57,605.58</b>	<b>1,29,10,968.30</b>	<b>1,75,68,573.88</b>

NA/NR-Related figure is either not available or not reported.

**Annexure 2 referred to in reply to part (c) to (g) of Lok Sabha Unstarred Question No. 2938 for answer on 07.08.2023**

**List of Rights as provided under Section 3(1) of FRA**

- (a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;
- (b) community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;
- (c) right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;
- (d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;
- (e) rights including community tenures of habitat and habitation for primitive tribal groups and preagricultural communities;
- (f) rights in or over disputes lands under any nomenclature in any State where claims are disputed;
- (g) rights for conversion of Pattas or leases or grants issued by any local authority or any State Government on forest lands to titles;
- (h) rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;
- (i) rights to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;
- (j) rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribal under any traditional or customary law of the concerned tribes of any State;
- (k) right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity;
- (l) any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (k) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal;
- (m) right to in situ rehabilitation including alternative land in cases where the Scheduled Tribes or other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13th day of December, 2005.

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