

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3805

ANSWERED ON:16.12.2011

SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006

Yadav Shri Ranjan Prasad

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Government proposes to review the rules made under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 which are violative to the provisions of the said Act with regard to certain limit on the quantum of trade of forest produce allowed to remain with tribals ;

(b) if so, the details thereof and if not, the reasons therefor ; and

(c) the corrective steps taken in this regard and the time by which the said rules are likely to be modified ?

Answer

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO SINGH KHANDELA)

(a): The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 seeks to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. Section 3 of the Act specifies the forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers that are to be recognized and vested under the Act. One of the forest rights specified in the said Section relates to the right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008 notified on 1.1.2008 for implementing the provisions of the Act are not violative of the provisions relating to recognition and vesting of this forest right under the Act.

(b) & (c): These questions do not arise in view of the reply to part (a) above.