

**GOVERNMENT OF INDIA  
PANCHAYATI RAJ  
LOK SABHA**

UNSTARRED QUESTION NO:826

ANSWERED ON:25.11.2011

ROLE OF GRAM SABHA IN IMPLEMENTING FRA

Rathwa Shri Ramsinhbhai Patalbhai

**Will the Minister of PANCHAYATI RAJ be pleased to state:**

- (a) whether Gram Sabha has a substantial role in the implementation of Forest Rights Act(FRA);
- (b) if so, the details thereof including process initiated by Gram Sabha for implementation of FRA as on date, State-wise, category-wise;
- (c) the details of claims filed in prescribed format and number of such claims collected and forwarded by Gram Sabha as on today,, State-wise, category- wise;
- (d) whether any delays in convening meeting of Gram Sabha for initiating various process in the implementation of Forest Rights Act been reported/noticed; and
- (e) if so, the reasons therefor?

**Answer**

(a): Yes, Madam. As per the Forest Rights Act, 2006 (FRA), the Gram Sabha has been assigned substantial role for implementation of the provisions of the Act.

(b); Under the Forest Rights Act, 2006, the Gram Sabha has been assigned the following roles for implementing the provisions of the Act:

(i) To initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under the Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and then pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.

(ii) To recommend developmental projects managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, and which require diversion of forest land, under Section 3 (2) of the Forest Rights Act, 2006.

(iii) To consider the resettlement or alternative packages prepared by the ,or. State Governments for providing a secure livelihood to the affected individual forest rights holders and communities whose forest rights M recognized under the Act in the critical wildlife habitats of National u. Parks and Sanctuaries are subsequently modified or resettled for the Si ,purposes of creating inviolate areas for wildlife conservation for providing free informed consent to the proposed resettlement and to the alternative package

(iv) To protect the wild life, forest , biodiversity, adjoining catchments areas, water sources, other ecological sensitive areas, preserve the habitat of forest dwelling Scheduled Tribes and other traditional forest dwellers from any form of destructive practices affecting their cultural and natural heritage etc. [Section 5];and

(v) To pass a resolution against any higher authority by giving a notice of not less than sixty days to the State Level Monitoring Committee and the State Level Monitoring Committee does not proceed against such authority for enabling the Court to take cognizance of any offence under Section 7 of the Act [Section 8].

As per the information received from the Ministry of Tribal Affairs, as on 31st October, 2011, the claims for recognition of forest rights under the Act have been received by the Gram Sabhas in the following States;

- |                     |                    |                   |
|---------------------|--------------------|-------------------|
| 1. Andhra Pradesh   | 7. Jharkhand       | 13. Rajasthan     |
| 2. Assam            | 8. Karnataka       | 14. Tamil Nadu    |
| 3. Bihar            | 9. Kerala          | 15. Tripura       |
| 4. Chhattisgarh     | 10. Madhya Pradesh | 16. Uttar Pradesh |
| 5. Gujarat          | 11. Maharashtra    | 17. Uttarakhand   |
| 6. Himachal Pradesh | 12. Orissa         | 18. West Bengal   |

The Gram Sabhas in these States have also passed resolutions on such claims and forwarded the same to the Sub-Divisional Level

Committees for preparation of the record of forest rights. However, the Ministry of Tribal Affairs is not maintaining such data, category-wise.

(c): The requisite details are given in the Annexure.

(d)&(e): Only the Administration of Dadra & Nagar Haveli has informed the Ministry of Tribal Affairs that despite notices in advance and propaganda, it has been difficult to hold gram sabha meetings in absence of quorum of 2/3 of all members of such gram sabhas. The UT Administration is making all out efforts to constitute the Forest Rights Committees in all the Gram Sabhas.