

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:39

ANSWERED ON:20.11.2009

DISPLACEMENT OF TRIBALS

Das Shri Bhakta Charan;Deshmukh Shri K. D.

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the details of the laws governing the rights of tribals dwelling in forest/sanctuary forest areas;
- (b) the manner in which the rights of tribals in areas declared as tiger/wildlife sanctuaries are preserved and protected in States including Orissa;
- (c) whether cases of displacement of tribal from their original habitat have been brought to light during the last three years; and
- (d) if so, the details thereof and action taken thereon, State-wise?

Answer

MINISTER OF TRIBAL AFFAIRS(SHRI KANTILAL BHURIA)

(a) to (d): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (d) of Lok Sabha Starred Question No. 39 (19th position) for answer on 20.11.2009 tabled by Shri Bhakta Charan Das and Shri K.D. Deshmukh regarding "Displacement of Tribals"

(a): The Parliament has enacted the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 to recognize and vest rights of occupation in forest land on 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, and to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. The Act has been notified for operation with effect from 31st December, 2007.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008 notified on 1st January 2008 lay down the process for implementing the provisions of the Act.

(b): As per Section 2(d) of the Act, the term "forest land" means land of any description falling within any forest area and includes unclassified forests, undemarcated forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks. Therefore, the rights of the forest dwelling Scheduled Tribes in areas declared as tiger/wildlife sanctuaries in all the States, including Orissa, are also to be recognized if eligible and vested under the Act as per the procedure laid down in the Rules notified on 1.1.2008.

(c) & (d): No such cases have been reported to the Ministry during the last three years. However, complaints received alleging eviction of tribal communities from forest land have been sent to the Ministry of Environment & Forests for necessary action.