

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1254
ANSWERED ON:18.07.2014
DEVELOPMENT OF FOREST DWELLERS
Patil Shri Shivaji Adhalrao;Yeddyurappa Shri B. S.

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a): whether despite five enactments, the law continues to suffer from many problems, as a result of which a majority of the forest dwellers are not receiving their rights;
- (b): if so, the details thereof;
- (c): whether a large number of forest dwellers are facing eviction or harassment at the hands of forest authorities;
- (d): if so, the details thereof and the reaction of the Government thereto;
- (e): whether several lacunae have been noticed/pointed out in the law while implementing it at the ground grass root level;
- (f): if so, the details thereof; and
- (g): the corrective steps taken/proposed to be taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MANSUKHBHAI DHANJIBHAI VASAVA)

(a) & (b): The Ministry of Tribal Affairs enacted the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 with the objective of remedying the historical injustice done to the forest dwelling Scheduled Tribes and other traditional forest dwellers. The Act has substantially met this mandate through distribution of 14,36,290 titles to the eligible claimants under the Act till 31st May, 2014.

(c) & (d): Complaints have been received over a period of time concerning denial of rights and eviction of tribals from forest etc. These complaints have been sent to respective State/UTs for taking necessary action as the implementation of this Act lies with the State/UTs.

(e) & (f): No, Madam. No lacunae have been noticed or pointed out in the implementation of the Act. Operational issues, as and when brought to the notice of the Ministry have been suitably addressed for facilitating seamless implementation of the Act. The Ministry has issued guidelines to the State Government/Union Territory Administrations on 12.07.2012 for improved implementation of the Act. These guidelines pertain to process of recognition of rights, evidence requirement, rights to minor forest produce, community rights, community forest resource rights, protection against eviction, diversion of forest lands and forced relocation, awareness raising, monitoring and grievance redressal.

To facilitate efficacious translation of objectives of the Act, the Ministry amended the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008 and notified it on 6.9.2012. The amendments to the Rules relate to laying down a procedure for identification of hamlets or settlements and process of their consolidation, increasing the mandatory Scheduled Tribe membership of Forest Rights Committees from the present one-third to two-third, reducing the present requirement of quorum of two-third in the Gram Sabha meetings to one-half, clarifying that the term 'bona fide livelihood needs' includes fulfillment of livelihood needs of self and family, including the sale of surplus produce arising out of exercise of rights, allowing transportation of minor forest produce within and outside forest area through locally appropriate means of transport by gatherers or their cooperatives or associations or federations laying down the process for recognition of rights, including community rights, insertion of new Claim Forms for Rights to Community Forest Resource and Title Form for Community Forest Resources etc.

(g): Does not arise in view of reply to parts (e) and (f) above.