

ଅଜିତ କୁମାର ତ୍ରିପାଠୀ
Ajit Kumar Tripathy, IAS

Chief Secretary & Chief Development Commissioner
Government of Orissa, Bhubaneswar

D.O.No. 36829 /CS
Dated the 20th Oct., 2008

Dear Collector,

Sub: Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules framed there under. +

Ref: ST & SC Development Department Resolution No.4694 dt. 1.2.08 and Letter No.6182/SSD Dt., 15.2.08.

This has reference to the letters cited above on the captioned subject.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rule 2007 became operational in the State w.e.f. 1.1.08 for recognition of forest rights to STs and Other Traditional Forest Dwellers in occupation of the forest land prior to 13.12.05 which include right to hold and live in the forest land under the individual or common occupation for habitation, self-cultivation, right of ownership, access to use or dispose off MFPs, community rights of uses or entitlements such as fish and other products of water bodies and grazing etc, any other traditional right, customarily enjoyed by the forest dwellers excluding the right of hunting, trapping or extracting a part of body of any wild animal.

A number of guidelines, circulars and clarifications have been issued for smooth and expeditious implementation of the aforementioned Act and Rules. Although the procedure to be followed for recognizing the rights of the STs and other traditional forest dwellers over the forest land is not a conventional one, yet preparation of land records on the claims, survey of land, preparation of maps, stationeries etc are required to be finalized to settle the claims of the beneficiaries.

The progress of implementation of the Act and Rules in the State was reviewed by the Prime Minister's office on 17.10.2008. It was observed that the progress made in implementation of the Act in our State was slow and unsatisfactory.

I would like to draw your personal attention on the matter and request you to ensure implementation of the Act in your district with a sense of utmost urgency. For this purpose, funds under Article 275(I) of the Constitution (interest money) lying with the PA, ITDAs and the fund under contingencies of the respective offices may be utilized including for buying handheld GPS instruments to be used by Forest and Revenue Department officials for preparation of map, records etc. All the claims received so far should be disposed of finally by 30.11.08 so that the documents conveying his right over the forest land as claimed by him and approved by the district level committee is handed over as soon as the litigation pending in the High Court is decided or leave of court is received.

Please note that any delay on the subject will be viewed as negligence and dereliction of duties.

Best wishes.

Yours sincerely,


(A.K. Tripathy)

To
All Collectors,
(By Name)