

GOVERNMENT OF ODISHA
ST & SC DEVELOPMENT DEPARTMENT

No. 9144 /SSD., Bhubaneswar
STSCD-FRA-MISC-0033-2014

Dt. 1st May, 2015

From,

Shri R.K.Das, OWS.
Asst. Director (H.qrs.)

To,

All Collectors.

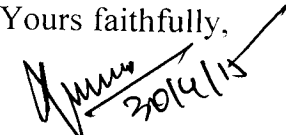
Sub.: Guidelines under Section 12 with regard to recognition and vesting of Community Forest Resource (CFR) and its management under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Sir/ Madam,

I am directed to send herewith the copy of the letter No.23011/16/2015-FRA dt.23.04.2015 received from the Under Secretary, Ministry of Tribal Affairs, Govt. of India containing guidelines with regard to recognition and vesting of Community Forest Resource (CFR) rights and its management under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, which is self-explanatory, for favour of your information and necessary follow-up action in the interest of proper implementation of the scheme.

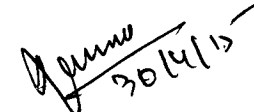
Yours faithfully,

Enclosed: As above


Asst. Director (H.qrs.)

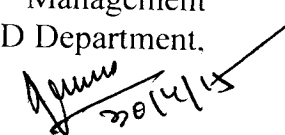
Memo No. 9145 / SSD, Dt. 1st May, 2015

Copy along with copy of the enclosures sent to all Nodal officers under FRA (9 PA,ITDAs & 21 DWOs) for information and necessary follow up action. Provisions enumerated under Rule 12 B (3) & (4) of the amended F. R. Rules, 2012 needs to be scrupulously followed and action taken in the matter is to be intimated to this Department by 31.05.2015 positively.

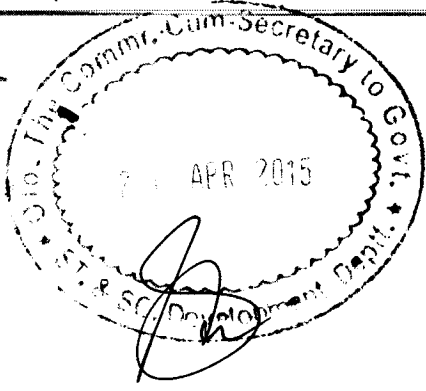

Asst. Director (H.qrs.)

Memo No. 9146 / SSD, Dt. 1st May, 2015

Copy along with copy of the enclosures sent to the Forest & Environment Department, Odisha / Revenue & Disaster Management Department, Odisha / Panchayati Raj Department, Odisha / H & UD Department, Odisha for information and necessary action.


Asst. Director (H.qrs.)

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No. 23011/16/2015-FRA
Government of India
Ministry of Tribal Affairs
(FRA Division)

R.No. F-280, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi
Dated: 23rd April, 2015

To
The Chief Secretaries of all State Governments

Sub: Guidelines under Section 12 with regard to recognition and vesting of Community Forest Resource (CFR) and its management under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA)

The undersigned is directed to state that the Ministry of Tribal Affairs has in numerous occasions conveyed the importance of recognition and vesting of CFR rights under FRA. While some States have made efforts to recognise the community and CFR rights, the State Governments need to make further efforts to recognise the CFR rights which is still slow in a number of States for all potential forest land where such traditional rights exist and claims have been pending.

2. In view of the above, Ministry of Tribal Affairs issues the present guidelines pertaining to recognition of CFR rights and their subsequent management.

i. As per Section 3(1) (i) and Section 5 of FRA, the authority to protect, regenerate or conserve or manage CFRs, is the Gram Sabha along with the committee for protection of wildlife, forest and biodiversity constituted under FR Rule 4(1)(e). The meaning of Gram Sabha shall be as defined in Section 2(g) and section 2(p) of the FRA.

ii. Each Gram Sabha shall be free to develop its own simple format for conservation and management plan of the CFR which its members can understand with ease and may also comprise of the rules and regulations governing forest access, use and conservation.

iii. The Gram Sabha and the Committee under FR rule 4(1)(e) shall be the authority to modify the micro plan or working plan or management plan of the Forest

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Department to the extent necessary in order to integrate the same with the conservation and management plan for the CFR as passed by the Gram Sabha.

- iv. The State Government shall make available through its departments, funds available under Tribal Sub Plan , MGNREGA, funds for forestry available with the Gram Panchayat, Funds under CAMPA to the committee at the Gram Sabha constituted under FR Rule 4 (1)(e) for development of CFR . The State Governments may also send proposals to Ministry of Tribal Affairs for development of CFR as per FR rule 16.
- v. Community Forest Resource (CFR) areas as recognised under Section 3(1)(i) of FRA shall constitute a new category of forest area which should be recorded as "CFRs" in the Records of Rights and be suitably incorporated in the records of the Forest Department .
- vi. Further as per Rule 12(B)(4) in case where no community forest resource rights are recognised in a village, the reasons for the same shall be recorded in writing by the Secretary of the District level committee.
- vii. The State Governments while furnishing their Monthly and Quarterly progress report should also invariably provide the disaggregated information on the CFR claims, CFR rights recognised and the extent of forest land recognised for the same under FRA

This issues with the approval of competent authority.

Yours faithfully,

Uttam Kumar
(Uttam Kumar Kar)

Under Secretary to the Government of India

Tel No: 01126182814

Copy to all Principal Secretaries/Secretaries of Tribal Welfare Departments of all states.