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No. 4694—TD-II-3/2008-SSD.

GOVERNMENT OF ORISSA

S. T. & S. C. DEVELOPMENT DEPARTMENT

RESOLUTION

The 1st February 2008

SUBJECT—Constitution of Subdivisional Level Committee, District Level Committee & State Level Monitoring Committee for implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules made thereunder.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules notified by Ministry of Tribal Affairs, Government of India, New Delhi seek to provide rights over land in their occupation to Forest Dwelling Scheduled Tribes and Other Traditional Forest Dwellers who have been residing therefor generations but whose right could not be recorded.

2. In order to ensure proper implementation of the Act expeditiously in keeping with the rules provided under it, Government after careful consideration have been pleased to decide that the following Committees be constituted in the manner prescribed against each and the Committees be vested with functions as mentioned against them as follows :—

3. Constitution of Subdivisional Level Committee :

The Subdivisional level committee shall be constituted with the following members namely :—

- |                                                |    |             |
|------------------------------------------------|----|-------------|
| 1. Sub-Collector                               | .. | Chairperson |
| 2. Forest Officer in charge of the Subdivision | .. | Member      |

3. 3 Members of Panchayat Samiti Member  
 (These 3 Members will be nominated by Zilla Parishad and at least 2 of them shall be Scheduled Tribes, preferably those who are forest dwellers or who belong to primitive tribal groups. Where there are no Scheduled Tribes, 2 Members to be nominated by Zilla Parishad would be from Other Traditional Forest Dwellers and one woman).
4. Special Officer, I.T.D.A. in Scheduled Areas and Assistant District Welfare Officer in non-scheduled area. Member-Secretary

#### 4. Functions of the Subdivisional Level Committee :

The Subdivisional Level Committee (S.D.L.C.) shall—

- (a) Provide information to each Gram Sabha about their duties and duties of holder of forest rights and others towards protection of wildlife, forest and biodiversity with reference to critical *flora* and *fauna*, which need to be conserved and protected ;
- (b) Provide forest and revenue maps and electoral rolls to the Gram Sabha or the Forest Rights Committee ;
- (c) Collate all the resolutions of the concerned Gram Sabhas ;
- (d) Consolidate maps and details provided by the Gram Sabhas ;
- (e) Examine the resolutions and the maps of the Gram Sabhas to ascertain the veracity of the claims ;
- (f) Hear and adjudicate disputes between Gram Sabhas on the nature and extent of any forest rights ;
- (g) Hear petitions from persons including State agencies aggrieved by the resolutions of the Gram Sabhas ;
- (h) Co-ordinate with other Subdivisional Level Committee for inter-subdivisional claims ;
- (i) Prepare block or tehsilwise draft record of proposed forest rights after reconciliation of Government records ;
- (j) Forward the claims with the draft record of proposed forest rights through the Subdivisional Officer to the District Level Committee for final decision ;
- (k) Raise awareness among forest dwellers about the objectives and procedures laid down under the Act and in the rules ;
- (l) Ensure easy and free availability of *pro forma* of claims to the claimants as provided in Annexure-I (Forms A & B) to these rules ;
- (m) Ensure that the Gram Sabha Meetings are conducted in free, open and fair manner with requisite quorum.

#### 5. District Level Committee :

The District Level Committee shall be constituted with the following members, namely :—

1. District Collector ..... Chairperson
2. Concerned Divisional Forest Officer or concerned Deputy Conservator of forests. .... Member
3. 3 Members of Zilla Parishad (These 3 Members will be nominated by Zilla Parishad and at least 2 of them shall be Scheduled Tribes, preferably those who are forest dwellers or who belong to primitive tribal groups. Where there are no Scheduled Tribes, 2 members to be nominated by Zilla Parishad would be from Other Traditional Forest Dwellers and one woman). .... Member
4. Project Administrator, I.T.D.A. in Scheduled Area and District Welfare Officer in other area. .... Member-Secretary

#### 6. Functions of District Level Committee :

The District Level Committee shall—

- (a) Ensure that the requisite information under clause (b) of Rule 6 has been provided to Gram Sabha or Forest Rights Committee ;
- (b) Examine whether all claims, especially those of primitive tribal groups, pastoralists and nomadic tribes, have been addressed keeping in mind the objectives of the Act ;
- (c) Consider and finally approve the claims and record of forest rights prepared by the Subdivisional Level Committee ;
- (d) Hear petitions from persons aggrieved by the orders of the Subdivisional Level Committee ;
- (e) Co-ordinate with other districts regarding inter-district claims ;
- (f) Issue directions for incorporation of the forest rights in the relevant Government records including record of rights ;
- (g) Ensure publication of the record of the forest rights as may be finalized ;
- (h) Ensure that the certified copy of the record of the forest rights and title under the Act, as specified at Annexure-II & III to rules, is provided to the concerned claimant and the Gram Sabha respectively.

### 7. State Level Monitoring Committee :

The State Level Monitoring Committee shall be constituted with the following members, namely :—

- |                                                                           |    |                  |
|---------------------------------------------------------------------------|----|------------------|
| 1. Chief Secretary                                                        | .. | Chairperson      |
| 2. Secretary, Revenue & D.M. Department                                   | .. | Member           |
| 3. Secretary, Scheduled Tribes & Scheduled Castes Development Department. | .. | Member           |
| 4. Secretary, Forest Department                                           | .. | Member           |
| 5. Secretary, Panchayati Raj Department                                   | .. | Member           |
| 6. Principal Chief Conservator of Forests                                 | .. | Member           |
| 7. Shri Bharat Paik, Member of T.A.C.                                     | .. | Member           |
| 8. Shri Balabhadra Majhi, Member of T.A.C.                                | .. | Member           |
| 9. Smt. Tulasi Munda, Member of T.A.C.                                    | .. | Member           |
| 10. Director, S.T. & S.C.                                                 | .. | Member-Secretary |

### 8. Functions of the State Level Monitoring Committee :

The State Level Monitoring Committee shall—

- (a) Devise criteria and indicators for monitoring the process of recognition and vesting of forest rights ;
- (b) Monitor the process of reorganization, verification and vesting of forest rights in the State ;
- (c) Furnish a six monthly report on the process of recognition, verification and vesting of forest rights and submit to the nodal agency such returns and reports as may be called for by the nodal agency ;
- (d) On receipt of a notice as mentioned in Section 8 of the Act, take appropriate actions against the concerned authorities under the Act ;
- (e) Monitor resettlement under sub-section (2) of Section 4 of the Act.

ORDER—Ordered that the Resolution be published in the extraordinary issue of the State Gazette and copies thereof be sent to all Departments of Government/all Heads of Departments/all Collectors & Sub-Collectors.

By order of the Governor

TARADATT

Commissioner-cum-Secretary to Government