

**NOTE SHEET**

**1.** During the last Video Conference held on 8<sup>th</sup> and 9<sup>th</sup> December, 2009 it was ascertained that Collectors are not considering claim petitions relating to all types of Forest Land. As per **Section 2 (d) of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**, "Forest land" is defined as follows: -

"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 and National Parks".

**2.** Collectors may, therefore, be advised to process claims relating to the following types of land under the above Act: -

- a.** Revenue Land where the remarks column mentions that it is Gramya Jungle / Patra Jungle etc.
- b.** Revenue Land where the Kisam is mentioned as Forest.
- c.** Land which has been described as forest land in an affidavit sworn by District Level Committee consisting of Collector and DFO before Hon'ble Supreme Court after its Judgement.

**3.** We understand that encroachment cases relating to the above types of forest land are also pending in Tahsils without disposal as such forest lands cannot be leased out and eviction might not have been possible. Now in case of tribals occupying such forest land before 13<sup>th</sup> December, 2005 (As per section 4 (3) ), such land can be settled under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. For other traditional Forest Dwellers, proof of residence and dependence on the above forest land for bonafide livelihood needs is required for at least three generations prior to 13<sup>th</sup> December, 2005 (Section-2 (o) of the Act).

**4.** Your representative Smt. Banani Mohanty, Under Secretary to Govt. was present in the last video conference and she was requested to submit it before your for issue of a circular to all Collectors.

I would request you to kindly examine it and instruct all Collectors suitably.

*(Handwritten signature)*  
26-12-09

(Ashok K. Tripathy)

Principal Secretary to Govt.  
ST & SC Development Department

**Commissioner-cum-Secretary to Govt.**  
**Revenue & D.M. Deptt.**  
**(Kind attention of Sri R.K. Sharma, IAS)**

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