GOVERNMENT OF ODISHA ST & SC DEVELOPMENT DEPARTMENT

No. 12864 / SSD, Bhubaneswar Date 03.07.2023. STSCD-FRA-MISC-0004-2022

From

Shri Satyabrata Sahu, IAS Additional Chief Secretary to Govt., Revenue & DM Deptt. Smt. Roopa Roshan Sahoo, IAS Commissioner cum Secretary to Govt., ST & SC Dev, M &BCW Deptt.

To,

All Collectors-cum-Chairperson of DLCs on FRA.

Sub.:-Effective implementation of State Sector Scheme titled "Mo Jungle Jami Yojana".

Madam/Sir,

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006, (in short FRA, 2006) aims to address the historical injustice and critical issues pertaining to the forest rights of the forest dwellers.

Despite the lofty aims of the Act and its implementation since the last fifteen years, it is noted that saturation of rights recognition process is yet to be achieved. In our State, the progress is limited to Individual Forest Rights (IFR) whereas the recognition of Community Rights (CR) and Community Forest Resources (CFR) rights is lagging. Besides, the post-recognition issues such as providing livelihood support through convergence of the schemes/ programs of the Govt., creation of Records of Rights (RoRs) of the forest land vested with the eligible claimants, conversion of un-surveyed/ forest villages into revenue villages etc. requires more systematic interventions.

Keeping those issues in view, Government of Odisha has decided to launch a State Sector Scheme titled "Mo Jungle Jami Yojana" to saturate the rights recognition process and speed-up the post-rights recognition activities within a prescribed time frame. Under the Scheme, Forest Rights Cells will be constituted at the Tahsil and District level with professional human resources to ensure & assist in the effective implementation of FRA, 2006 in your district. Detail operational guidelines for the "Mo Jungle Jami Yojana" and guidelines for constitution of Forest Rights Cell are attached herewith as **Annexure-A** and **Annexure-B** respectively for your information.

You are therefore, requested to look into the matter personally and initiate action for its effective implementation, so that the provisions of FRA, 2006 are translated into practices for the larger benefit of the forest dependent communities.

Yours faithfully,

Additional Chief Secretary to Govt., Revenue & D.M. Deptt.

Addl. Chief Secretary to Govt. Revenue & D.M. Department

Yours faithfully,

RRJ

Commissioner cum Secretary to Govt., ST & SC Dev., M &BCW Deptt. Commissioner-Cum-Secy. to Govt.

ST & SC Development Deptt. P.T.O.

Memo No. 12865 / SSD Dated. 03.07.2023

Copy along with copy of the enclosure sent to the Forest, Env. & CC Deptt./ Revenue & DM Deptt./ PR & DW Deptt. for information and necessary action.

Director, ST

Memo No. 12866 / SSD Dated. 03.07.2023

Copy along with copy of the enclosure sent to all RDCs/ Director, SCSTRTI, Bhubaneswar for information and necessary action.

Director, ST

Memo No. 12867 / SSD Dated. 03.07.2023

Copy along with copy of the enclosure sent to all Nodal Officers on FRA (9 PA, ITDAs & 21 DWOs) for information and necessary action. They are requested to initiate the process of constitution of Forest Rights Cell in the concerned Offices by following due procedures of the Government.

Director, ST

OPERATIONAL GUIDELINES FOR MO JUNGLE JAMI YOJANA

1.Background

Odisha is home to 62 types of tribes, 13 of which are categorized as Particularly Vulnerable Tribal Groups (PVTGs). As per the 2011 census, it is ranked third in terms of ST population nationally. The tribal population of the State is 95,90,756 which constitutes 22.85 percent of the total population. Out of nearly 53,845 villages in the State, there are about 32,562 FRA potential villages. The estimated potential forest area over which forest rights can be recognized in Odisha is approx. 35,739 Sq. KMs.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006, (FRA) came into force in Odisha after the notification of its Rules on 01.01.2008. The law vests numbers of rights over forest lands to forest dependent Scheduled Tribes and other traditional forest dwellers, including individual rights over forest lands, community rights and the rights to protect and manage Community Forest Resources within traditional or customary boundaries of the village. It provides a legal framework to recognize the rights over common resources, collection of MFPs, conversion of forest/un-surveyed habitations/villages into revenue villages, recognition of habitat rights for the PVTGs etc. Those provisions have an immense potential to improve forest governance and provide livelihood security by recognizing Community Rights (CR) and Community Forest Resource Rights (CFR) in particular.

Given this potential, Government of Odisha has prioritized the effective implementation of the Forest Rights Act in a saturation mode. Odisha is one of the leading States in implementation of FRA with distribution of 4.56 lakhs of individual forest right (IFR) titles in the country as of now. However, there still exists gap between the potential and actual achievement in the rights recognition and the linked development processes. The progress in terms of recognition of community rights (CR), Community Forest Resource (CFR) Rights and in conversion of un-surveyed habitations/ forest villages to revenue villages is not encouraging. Where rights have already been recognized, there are gaps in correction of records for the titles distributed as well as poor rate of convergence with other schemes and programs of the Government. The recognition of CR and CFR Rights is lagging in particular. Therefore, inconsistence with the objectives of providing economic sustainability and strengthening the livelihood base of the tribal communities through recognition of rights over their resources, ST and SC Development Department has designed the scheme titled "Mo Jungle Jami Yojana" which has been approved by the Government.



2. Scheme / Programme Objectives

2.1 Goal

• Ensuring livelihood and food security of the forest dwelling Scheduled Tribes and other traditional forest dwellers through recognition of rights of all eligible claimants under Forest Rights Act.

2.2 Key Objective

 Saturation of rights recognition process under FRA ensuring access and ownership over land and forest resources as per their entitlement so as to facilitate convergence with development programmes/schemes undertaken by the Government.

2.3 Key Deliverables:

- All eligible claimants, primarily single women and PVTGs would get land titles and record corrections are made for 100% title holders.
- Community rights (both CR & CFR) titles distributed to all eligible villages/gramsabhas.
- Community Forest Resource Management & Protection Committees are formed as per the provisions enumerated under rule 4 (1) (e) of the amended FR Rules, 2012 and operationalized in all the villages awarded with CFR titles.
- Livelihood enhancement of all the title holders is ensured through convergence of development, livelihood and social security programs (focusing on housing, livelihood and social security schemes etc.)
- Correction of records are ensured and copies of the RoRs are provided to all the FR title holders.
- All the identified Un-surveyed / forest / zero area villages are converted into revenue village and all households have access to water supplies, road connectivity, health & school.
- State will have a concrete database of all claimants and benefits received by the title holders under different programs.

3. Coverage under the Scheme / Programme and Duration

3.1. Target -Groups

Forest dependent communities / families particularly the forest dwelling STs and Other Traditional Forest Dwellers are the key target groups under the scheme. The key stakeholder groups which are going to be benefitted from the scheme are the critically forest dependent communities that includes tribal, PVTG communities, women (specifically single women) etc.



3.2. Eligibility criteria

There are two broad categories of target groups under the scheme i.e., all STs & OTFDs families, who are in occupation of forest land and depending on the said forest and forest land prior to 13.12.2005 and in case of Other Traditional Forest Dwellers, they ought to be residents of that area for 03 generations prior to 2005 (one generation is equal to 25 years). Apart from those individual families, community titles will be awarded to communities who are traditionally depending on forest for cultural – social- economical purposes.

3.3 Potential of Forest Rights Act in the State

As per the estimation done by SCSTRTI, Odisha there are around 32,562 FRA potential villages and 7.35 lakh potential ST families in our State. The target groups will be benefited under following 04 major verticals of the scheme,

- Recognition of rights of all genuine claimants (including communities)
- Correction of records for the rights recognised.
- Linking the title holders with potential schemes / programs of government
- Conversion of all un-surveyed/ forest villages into revenue village

3.4 Duration

- Duration of the Scheme is 24 months (i.e., 2 years)
- **4. Implementation of the Scheme/ Programme** (with definite role of the stakeholders at State/District/implementation level).

ST & SC Development Department, Odisha shall be the State Nodal Department for operationalization of the Scheme. Community institutions like CFRMCs, Gramsabha will be involved in the implementation process to maintain transparency. Under the aegis of the State Nodal Department, a three-tier institutional mechanism at State, District and Tehsil level has been suggested under the Scheme.

4.1 Stakeholders at State Level

- 4.1.1 ST & SC Dev., M&BCW Department of Govt. of Odisha shall be the administrative department for implementation of the "Mo Jungle Jami Yojana".
- 4.1.2 ST & SC Dev., M&BCW Department of Govt. of Odisha shall be responsible for clarifying doubts, if any, and to ensure that bottlenecks in the implementation of the scheme are removed as expeditiously as possible and communicated to all concerned as and when required.

- 4.1.3 SCSTRTI will function as the SPMU (State Project Management Unit) to coordinate and facilitate the scheme implementation process.
- 4.1.4 Revenue and Disaster Management Department will extend necessary support towards verification of claims under the scheme and review the claim verification status under FRA in their departmental review meeting. They will also nominate an official not below the rank of Additional Secretary from their department as representative to the SPMU constituted under the scheme.
- 4.1.5 Forest & Environment and CC Department will extend necessary support towards verification of claims under the scheme. They will also nominate an official not below the rank of Additional Secretary from their department as representative to the SPMU constituted under the scheme.
- 4.1.6 Panchayati Raj and Drinking Water Department will extend necessary support towards holding Gramsabha under the scheme. They will also nominate a official not below the rank of Additional Secretary from their department as representative to the SPMU constituted under the scheme.
- 4.1.7 This will be given effect from the date of Notification/ Office Order to be issued by the concerned administrative departments.

4.2 Stakeholders at District Level

- 4.2.1 Nominated PA-ITDAs / DWOs (9 PA, ITDAs / 21 DWOs) will function as the district level Nodal Officer for the scheme "Mo Jungle Jami Yojana". They will facilitate the human resource hiring process for the FR Cells as per the procedure prescribed under the guideline attached as **Annexure-B**, organise training programmes, ensure availability of claim forms and other required documents at panchayat level, submission of progress report to state, ensure data entry on the website.
- 4.2.2 Collector cum Chairperson of DLC under FRA will take periodic review of the progress and may appoint an officer not below the rank of ADM to monitor & supervise the scheme.
- 4.2.3 FR Cell will be constituted at the district level who will extend support to the district Nodal Officer in day-to-day functioning, monitoring, coordination with other line departments, documentation of good practices, uploading of data in "mojangaljami.odisha.gov.in" website etc.

4.2.4 FR Cell will work in coordination with the State PMU operational at SCSTRTI on regular basis to ensure smooth implementation of the scheme.

4.3 Stakeholders at Implementation level

- 4.3.1 Concerned Tehsildars will function as the main functionary for the scheme "Mo Jungle Jami Yojana" at the tehsil level and would be assisted by the WEO concerned. They will supervise & monitor the progress of the scheme including number of claim form generated, claim verified & title distributed, record correction done in BHULEKH portal for the titles issued, details of title holders uploaded in the "mojangaljami.odisha.gov.in" website. They will also coordinate with Officials from Forest & Environment department, PR & DW Department for quick disposal of the claims filed under FRA.
- 4.3.2 Officials from Forest & Environment and CC Dept. will extend necessary support during verification of claim forms as well as in demarcation & record correction of the titles vested with the claimants.
- 4.3.3 FR Cell will be constituted at Tehsil level in all potential tehsils, which will facilitate implementation of the scheme at the community level, ensure coverage of title holders under different schemes, timely record correction, facilitate habitat rights and conversion of forest/un-surveyed village into revenue village, good practices documentation, coordinate Gramsabha meetings and uploading of data in "mojangaljami.odisha.gov.in" website etc..
- 4.3.4 Potential NGOs identified under the scheme and their local partners will be involved under the scheme to facilitate the implementation process.

5. Source of funding for the Scheme and fund flow mechanism

Mo Jungle Jami Yojana is a State funded scheme. The key features of the fund flow mechanism are as follows,

- 5.1 Fund will flow from the ST&SC Dev., M&BCW Department to SCSTRTI (State PMU on FRA) and then to district level Nodal Officers on FRA.
- 5.2 The interest accrued on deposit of "Mo Jungle Jami Yojana" fund shall be treated as part of "Mo Jungle Jami Yojana" fund and shall be utilised for the scheme only.
- 5.3 There shall be separate account at the District Nodal Officer level in a Public Sector Bank / Nationalised bank allowed for handling Government business.
- 5.4 All such accounts will be audited by AG, Odisha / CAG/ internal auditor of the Department.

3 to

6. Intended Scheme/ Programme Outcome

Saturation of right recognition process of IFR, CR, CFR as per the potential assessed. Completion of record correction of the titles vested & copies of the RoRs provided to all the title holders. Community Forest Resource Management Committees formed in all the villages awarded with CFR titles. A robust database management system developed and operationalised.

7. Monitoring & Evaluation mechanism

- State Level Steering Committee under the Chairpersonship of Commissioner cum Secretary will be constituted to review the progress of implementation of the scheme at State level.
- District Level Committees under the Chairpersonship of the concerned Collectors cum DMs cum Chairperson, DLC under FRA to review the implementation status of the scheme at district level.
- PA, ITDA / DWO (Nodal Officer for FRA in the concerned district) as well as ADM concerned will be responsible at the district level, Sub-district level and Tehsildar at Tehsil level for timely implementation of the scheme.
- Tehsildars will review at least 10% titles issued and claims rejected.
- District Nodal Official will review at least 05% titles issued and claims rejected in the district.
- District Coordinator (FR Cell) will review at least 20% titles issued and claims rejected in the district.
- State FRA portal and dashboard monitoring system (mojangaljami.odisha.gov.in) of the ST & SC Development Department will be used as the key monitoring tool for the review of the scheme.
- Tehsildar and the concerned WEO will ensure timely up-dation of data in mojangaljami.odisha.gov.in
- A third-party assessment will be carried out after the scheme tenure to access the impacts and draw future action plan.



Guidelines for constitution of Forest Rights Cell at the Tahasil/ District Level

1- The objective of constitution of the FR Cells:

To expedite and saturate the rights recognition process under FRA within the prescribed time frame of new State sector scheme namely "Mo Jungle Jami Yojana", it has been decided to constitute FR Cells at the district and tahasil level to facilitate smooth implementation of the Forest Rights Act.

2- Location of the FR Cell:

The FR Cells will be constituted at tahasil level and district level. Cell will be constituted in each Tahasil Office and District Office functioning within the Tribal Sub-Plan area of the State. The FR Cell in District Office is to be headed by the ADM/ Nodal Officer on FRA &those in the Tahasil Office is to be headed by the Tahasildar. Presently, it would function in 247 Offices (i.e., 30-District Offices, 217-Tahasil Offices).

FR Cell will be constituted in all TSP tahasils including Kirmira and Laikera tahasil of Jharsuguda District and Jujumora tahasil of Sambalpur district, wherein the tribal population is more than 50% of its total population as per 2011 census. In Non-TSP districts FR cell will be constituted considering the potentiality of FRA mapped by SCSTRTI. The district-wise number of FR Cell to be constituted is attached as **Annexure-1**.

3- Composition of the FR Cell:

Each FR Cell will be supported with 02 numbers of human resources as mentioned below:

- Coordinator-1 no.
- MIS Assistant-1 no.

4- Monitoring Mechanism:

A Monitoring Committee under the Chairpersonship of District Collector will be constituted to monitor the progress of FR cell and track the progress made under the scheme. The Monitoring Committee will meet at least once in a month and the proceedings of the meeting need to be shared with the concerned SDLC/DLC as well as SPMU on FRA.

Composition of the District Monitoring Committee:

Sl.No.	Member/Official	Designation	
1	District Collector	Chairperson	
2	ADM(Revenue)	Member	
3	PA, ITDA, (in case ITDA Districts)	Member	
4	Assistant Conservator of Forest (ACF)	Member	
5	Tahasildars	Member	
6	Special Officer (Micro Project) (in case districts having Micro Project Agency)	Member	
7	District Coordinator of FR Cell	Member	
8	PA, ITDA/ District Welfare Officer (FRA Nodal Officer for the district)	Member Convenor	

Similarly, a Monitoring Committee will be constituted at Tahasil level under the Chairpersonship of respective Tahasildars to monitor the monthly progress of Tahasil level FR Cells and track the progress of their activities. The Monitoring committee will meet at least once in a month and the proceedings of the meeting would be shared with the concerned SDLC/DLC as well as the SPMU on FRA. Welfare Extension Officer needs to ensure that the proceedings of the meeting are shared with the District Level Monitoring Committee members at least 3 days prior to the meeting of the District Level Monitoring Committee.

Composition of the Tahasil Monitoring Committee:

Sl. No.	Member/ Official	Designation	
1	Tahasildar	Chairperson	
2	Forester/ Range Officer	Member	
3	Revenue Inspector/ Supervisor	Member	
4	Coordinator of FR Cell	Member	
5	Welfare Extension Officer	Member Convenor	

5- Functions of FR Cell:

- Facilitating the process of claim generation (all IFR, CR & CFRR) at community level with support of community volunteers.
- Ensure availability of all case records(including rejected claims) with desired documents at appropriate level.
- Uploading of details of all the claimants in the "mojangaljami.odisha.gov.in" portal.
- Quick disposal of the pending claims under FRA with particular emphasis on the claims approved by the DLCs.



- Ensure that the reason of rejection of the claims made at the Gram Sabha and SDLC levels are communicated to the claimant, to enable the claimants to prefer petitions to the SDLC/DLC within the timeline stipulated in the rules.
- Facilitate the process of completion of demarcation of the forest land vested with the claimants.
- Distribution of FRA titles to the rightful claimants & ensure RoR corrections & its incorporation in the relevant Govt. records.
- Ensure that all the FRA title holders are covered under Govt. schemes including those related to land improvement, land productivity, basic amenities & other livelihood measures.
- Ensure that the claims for Community Rights (CR), Community Forest Resources Rights (CFR) are filed in the prescribed formats by the Gramsabha concerned as per its potential.
- Ensure that the process of conversion of the forest, un-surveyed villages, habitation etc. into revenue villages is initiated & completed smoothly in a time bound manner by the Gramsabha concerned.
- Establish coordination between Government Departments and Civil Societies for proper facilitation of the Forest Rights Act & Rules so that all the eligible STs & OTFDs can file their claims in proper Forms and those are placed before the Gramsabha/FRCs for appropriate decision.

6- Qualifications and Experience of personnel to be engaged in the FR Cell: 6.1- Co-ordinator.

Education:

• Candidate should have completed graduation. Individuals with Master's degree will be preferred.

Work Experience:

- Minimum 2-3 years of experience in NGO / social sector projects.
- Candidates from the concerned district should be preferred for all the positions under the scheme.
- Experience of working with government projects will be an added advantage.
- Fair understanding of Central/State Govt Schemes & community mobilisation skills
- Experience in delivery of training & capacity building programmes /initiatives.
- Experience of networking with line departments of governments.

Language and competency:

• Fluency in oral and written communication in English and Odia.

Computer Skills:

• Proficiency in computer skills like the use of MS Office and conversant with internet/emails.

Remuneration:

• Consolidated remuneration of Rs. 25,000 /- per month subject to submission of signed absentee statement and performance report by the concerned Nodal officer/ Tahasildar by 05th of each succeeding month.

6.2- MIS Assistant.

Education:

• Candidate should have completed graduation and PGDCA course. Individuals with Master's degree will be preferred.

Work Experience:

- 02 years of experience in data entry and large-scale database management in any reputed govt. / private agency.
- Proficiency in the use of MS Office specifically MS Office, MS Excel and conversant with internet / use of online platforms is a mandatory requirement.

Language and competency:

• Fluency in oral and written communication in Odia and English is a mandatory requirement.

Remuneration:

• Consolidated remuneration of Rs.15,000 /- per month subject to submission of signed absentee statement and performance report by the concerned Nodal officer/Tahasildar by 05th of each succeeding month.

7- Nature of Engagement:

Mode of engagement will be completely contractual and on temporary basis. The contract can be terminated by either of the party with one-month prior notice or remuneration in lieu. Initial agreement will be for 06 months. On satisfactory performance, the selected candidate will have the opportunity to get associated with the scheme for a total period of two years.

The selection of Manpower Service providing Agency, engagement of manpower through outsourcing of services should strictly be done following the guidelines of Finance Department & GA & PG Department issued in this concern.



Selection Procedure:

All the hiring will be done through the third party at the district level. The selection of candidates should be done through open advertisement and interview process. The interview panel constituted by each district may consist of the following members.

- 1. ADM(Revenue)
- 2. PA,ITDA/DWO(Nodal Officer on FRA)
- 3. Representative of facilitating NGOs for the district.

District level Nodal Officer on FRA would process the file and obtain approval of the Collector in this regard. Concerned agency will share the resumes of interested candidates with the selection panel at least 03 days prior to the date of the interview and the candidates will be selected on basis of the recommendation of the selection panel. District Nodal Officer will make necessary arrangement for computer(desktop/laptop) for written test, if required, for the interview.

8- Infrastructure:

The FR cell shall be well equipped with a Desktop, Printer, internet facilities with sitting arrangement for the personnel engaged and Almirah for keeping village-wise records. In case of the newly constituted FR Cells, fund for the above-mentioned purpose will be placed with the district level Nodal Officer on FRA.

9- Facilities/ documents to be made available at the FR Cell level:

- Claim Forms
- Process Facilitation Notes
- Posters and Leaflets
- Digital copies of RoRs
- List & details of Government Programs and Schemes
- Templates of various Resolutions to be adopted by the Gram Sabha
- Copy of Act and Rules (English/ Odia version)
- Government Circulars and Orders
- Village wise case Records
- Resolution copies of Gram-sabhas, SDLC and DLC meeting
- Village wise list of FRC members and CFRMC members
- Voter lists of all the villages located within the Tahasil.
- Block level Potential Maps with list of Potential Villages
- Cadastral Maps of all potential villages with Khatiyans
- Forest Maps of RFs, PRFs etc along with Forest Block

10- Allocation of Funds and support from ST & SC Development Department:

ST&SC Development, M&BCW Department will channelize the funds to the district level Nodal Officer on FRA through SCSTRTI (Designated as SPMU for this scheme)

9th

Financial support will be extended to the districts for the following human resources as mentioned in the table below. Support for procurement of equipment as mentioned in the table below will be provided only for the newly constituted FR Cells. Functioning of the Forest Rights Cell at the Tahasil and District level is to be ensured by the end of July, 2023 and engagement of human resources through the service provider on outsource basis by 1st week of August, 2023.

Sl.	Types of Manpower/ equipment etc. required	Unit Cost	Month/Unit	Total (in Rs.)
1	Co-ordinator (FRA)	25000	12	300000
2	MIS Assistant (FRA)	15000	12	180000
	Desktop, Printer, Scanner & its			
3	peripherals	75000	1	75000
4	Almirah	10000	2	20000
5	Travel Exp. for the Coordinator	2500	12	30000
6	Table and chairs (2 tables and 4 chairs)	12000	1	12000
7	Contingency	10000	Lumpsum	10000



Annexure-1 Proposed Number of FR Cells to be constituted

Sl. No.	Name of the District No. of Cell proposed at District Level No. of Cell proposed at Tehsil Level		No. of Potentia villages as per FRA ATLAS	
1	2	3	4	5
1	Balasore	1	3	613
2	Deogarh	1	3	687
3	Gajapati	1	7	1371
4	Jharsuguda	1	5	320
5	Kandhamal	1	12	2338
6	Keonjhar	1	13	1791
7	Koraput	1	14	1536
8	Mayurbhanj	1	26	3051
9	Malkangiri	1	7	958
10	Nabrangpur	1	10	750
11	Rayagada	1	11	2125
12	Sambalpur	1	7	1173
13	Sundergarh	1	17	1632
14	Kalahandi	1	9	1771
15	Anugul	1	7	1395
16	Balangir	1	7	1425
17	Bargarh	1	8	887
18	Bhadrak	1	1	821
19	Boudh	1	3	909
20	Cuttack	1	5	753
21	Dhenkanal	1	7	859
22	Ganjam	1	9	1394
23	Jagatsighpur	1	1	275
24	Jajpur	1	4	352
25	Kendrapada	1	2	346
26	Khorda	1	4	340
27	Nayagarh	1	5	1239
28	Nuapada	1	5 607	
29	Subarnapur	1	4	588
30	Puri	1	1	256
Total		30	217	32562

