

Sensitization Workshop Legal Issues and Orientation

‘The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006’



Date: 12th February 2020

Venue: Nature Interpretation Centre, Madarihat

Jaldapara National Park



Introduction

West Bengal Forest Department in collaboration with Legal Initiative for Forest and Environment (LIFE) organised a State Level Sensitization Workshop for Forest Officials on *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006* (henceforth, FRA) on 12th February 2020. Participatory officials included Chief Conservators of Forest (CCFs), Conservators of Forest (CFs), Divisional Forest Officers (DFOs) having territorial jurisdiction, and Assistant Divisional Forest Officers (ADFOs).

Welcome Address and Inaugural Session

Speaker: Tapas Das, CCF, West Bengal Forest Department



Tapas Das, CCF, West Bengal Forest Department welcomed the participants and highlighted that the purpose of conducting the workshop was to understand the provisions of the *The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA)* specifically with respect to the role of the forest department in the implementation of the

Act. He highlighted that DFOs often face a lot of problems while processing claims to forest rights. This workshop is an opportunity for them to get their doubts clarified from the speakers present.

Three speakers delivered lectures in the workshop viz., Advocate Ritwick Dutta, Dr. Geetnajooy Sahu and Dr. Arvind Kumar Jha. Ritwick Dutta has been practicing environment litigation since last 20 years in Supreme Court, High Courts and the National Green Tribunal (NGT). He is the Managing Trustee of LIFE. Dr Geetanjoooy Sahu is an Associate Professor from Tata Institute of Social Sciences (TISS), Mumbai. Lastly, Dr. Arvind Kumar Jha is ex-PCCF and DG (Social Forestry), Maharashtra. He was also the Chairman of Tribal Research Training Institute (TRI), Pune.

Technical Session I

Topic: Genesis of FRA and Its Importance as a Conservation Tool

Speaker: Ritwick Dutta, Managing Trustee, LIFE



Advocate Ritwick Dutta in his presentation highlighted the emergence of FRA and its importance as a conservation tool.

I. Genesis of FRA

In order to understand the genesis of FRA, it is important to look at the provisions of Forest (Conservation) Act, 1980. The Forest (Conservation) Act, 1980 came into effect on 25.10.1980 and the law says that diversion of forest land for non-forestry purposes is permitted only when a prior approval is taken from the Central Government. It is important to note that since 1980, the forest land has been diverted for non-forestry purposes such as mining, roads, railways, dams, infrastructural facilities. Even as late as 2017, the total forest land that diverted is 27,801 hectares (see figure 1).

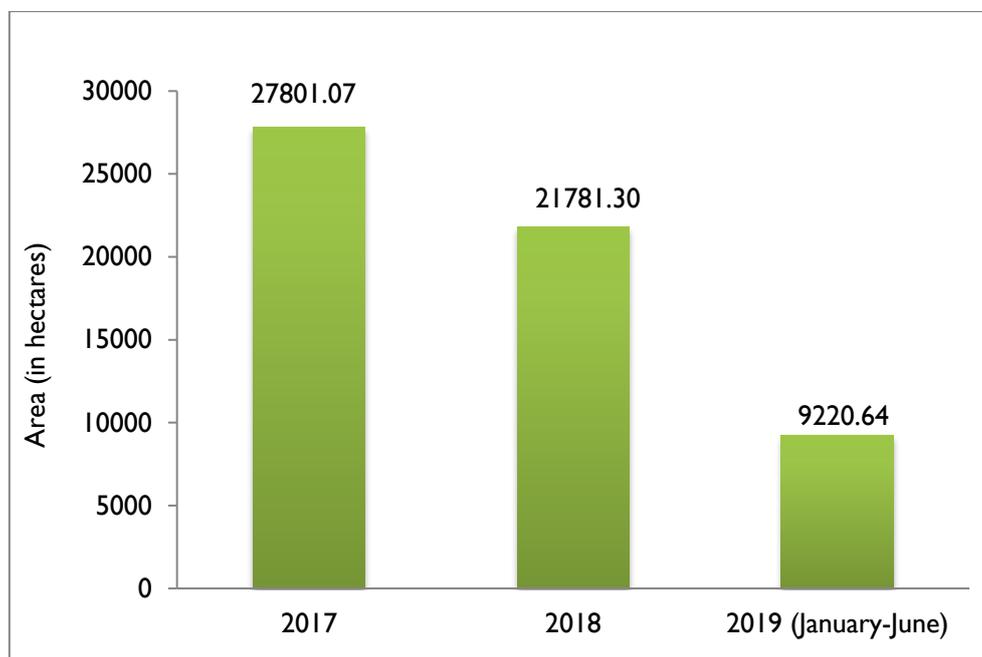


Figure 1: Status of Forest Diversion in India

As a matter of Government of India policy, there are two activities for which no forest land can be diverted in India. No diversion of forest land can be allowed for housing. It can be a related project to any mining, hydel or others but not a standalone housing project. The second activity for which forest land cannot be diverted for agriculture. The Group working on forest rights brought it to the notice that while no diversion of forest land is being allowed for housing for the poor and farming, diversion is being allowed for other non-forestry purposes. Added to this is the 13.11.2000 order of the Supreme Court in writ petition no 337 of 1995 in Centre for Environment Law WWF vs Union of India. The order says “pending

further orders, no de-reservation of any national park, wildlife sanctuary and forest shall be effected”.

It is an interim order which remains in force till date.

The problem that came in was that while approvals are given for mining, hydel under section 2 of the Forest (Conservation) Act, 1980; but for a person who is residing in forest land for 5 generations on a 250 m² patta land, they have to go to the Supreme Court for using that land for the housing/cultivation. This is because the Central Government does not have the power to do the same. The group working on Forest Rights saw the solution to the above problem in the name of *Scheduled Tribes and and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006*.

II. FRA as a Powerful Conservation Tool

FRA can be a powerful tool to save forest from ecologically destructive projects such as mining, hydel, infrastructure etc. which not only threaten life sustaining ecosystems but also livelihoods of local communities. In many situations, it becomes very difficult for the forest department to oppose such diversion of forest land due to various political and administrative reasons. Here, provisions of FRA can help can be used as conservation tool. This is best illustrated in the Niyamgiri case.

The bauxite mining project proposed by Vedanta Resources required 660.749 hectares of forest land. Spread over Kalahandi and Raygada districts of Odisha, the biodiversity rich forests of Niyamgiri forms the habitat of elephant, sambhars, leopards, tigers, barking deer, various species of birds and other endangered species of wildlife. More than 75% of the hill is covered by thick forests with an average density of 0.6. The Supreme Court's Central Empowered Committee (CEC) in its report took into consideration the importance of the area from the wildlife point of view and observed that it was proposed to make Niyamgiri forests a part of a Wildlife Sanctuary. The report highlighted that area is a well-balanced ecosystem with poised prey-predator relationship which will undoubtedly suffer due to the proposed mining project. Further, the impact of the noise created by the blasting, ripping of the earth, movement of the heavy machinery, night illumination, shrinkage of the habitat and its fragmentation may all affect the physical, physiological and reproductive behaviour of the animals including the avian population. Since it will be difficult to take corrective measures later on, therefore, an additional in-depth study needs to be undertaken by the institutes like the Wildlife Institute of India (WII) to assess the impact and formulate best suited measures.

Towards the end, the CEC in its report recommended that use of forest land in an ecologically sensitive area like the Niyamgiri Hills should not be permitted.

The WII in its report highlighted that plateau on which mining is proposed are very productive with high occurrence of several herbivore and carnivore species. The report further said that the Niyamgiri Hills are the source of the Vamsadhara River and a major tributary of the Nagvalli River. Both rivers supply water to several districts of southern Orissa and Andhra Pradesh. Thirty-six perennial streams originating around the mining lease site provide drinking water and water to irrigate fields in the adjoining villages. The Supreme Court took into consideration both the reports and directed the WII to re-examine its report. The WII in its second report said that on closed scrutiny we found that elephant avoid all the bauxite bearing areas and in view of the fact that elephants are inhabiting the slopes and that bauxite bearing areas have no wildlife; the government may allow mining. When the report was considered by the Supreme Court, it took into consideration the fact that Vedanta Resources has been blacklisted from the Norwegian Pension Fund on account of severe environment damage and human rights violations.

Later, Vedanta Resources subsidiary Sterlite Industries and got the approval. During this time, the FRA came into picture. It is important to note that FRA recognises the community tenures of habitat and habitation for primitive tribal groups such as Dongria Kondhs and these tribes have the right to grazing and collection of minor forest produce from the Niyamgiri forests. Most importantly, the Dongria Kondhs have the religious right to worship the mountains as their deity Niyam Raja resides in the hill top of Niyamgiri Range. This religious right would be affected if bauxite mining is permitted in Niyamgiri hills. Moreover, under FRA, GS has the duty to protect forest, wildlife and biodiversity. The Dongria Kondhs came before the Supreme Court and highlighted that they would fail in their statutory duty if they do not conserve their forest and therefore the entire mining proposal should have their consent. The Court in its directed that the GS' of Kalahandi and Rayagada districts have the right to question that whether the Dongria Kondhs have got any the religious right, i.e. the right to worship their deity Niyam Raja. The Court observed that this aspect of religious rights has not been placed before the GS' for active consideration and directed that GS' has the power to examine whether the proposed bauxite mining project will in any way affect the abode of Niyam Raja. In case the project affects their religious rights to worship their deity, this right will be protected and preserved.

All the 12 GS' in Niyamgiri Hills rejected the proposal and the report was placed in front of the Forest Advisory Committee (FAC). The FAC rejected the proposal for diversion of forest land as no consent was given by the GS. Thereafter, MoEF&CC too rejected the forest clearance.

Following the Niyamgiri Case, the NGT then passed two major orders upholding the requirement for GS consent, one relating to the Thoubal Multipurpose project in Mapithel Valley in Manipur and other relating to the Kasahang Hydro Electric Project in Kinnaur, Himachal Pradesh. Therefore, this a very important clause. It is important to note that it does not take the power of the Forest Department to scrutinize the forest diversion application but adds a requirement of consent from the GS. Mr. Dutta highlighted that his experience suggests that this consent process is not being followed and that a lot illegal exemptions have been given. For example, linear projects have been exempted from the requirement of obtaining GS consent. However, settlement of rights under FRA will still be mandatory. Further, the GS consent is required if the rights of Primitive Tribal Groups/Principal Agricultural Communities are affected. However, the Andhra High Court has said that one cannot exempt linear projects because Linear is not a separate category.

Technical Session II

Topic: The Recognition Process of Forest Rights: Institutional and Legal Framework

Speaker: Dr. Geetanjoy Sahu, Associate Professor, TISS Mumbai



Dr. Geetanjoy Sahu in its presentation highlighted the following aspects on FRA:

I. Clarifications on Basic Perceptions around FRA

Dr. Geetanjoy Sahu's presentation begun with clarifying certain general perceptions around FRA. These are detailed below:

i. FRA is not a Land Reforms Law:

There is a common perception that FRA is a Land Reform law. However, it is important to note that while under Land Reforms, land was taken from big landowners and distributed to marginal landowners; under FRA no new land titles are created, only pre-existing rights are recognized. The focus of FRA is recognition and vesting of already existing forest rights. These rights were enjoyed by the forest dwelling communities when the Britishers came to India i.e. 1757. To reiterate, no fresh forest rights are created under FRA.

ii. FRA applies to all types of Forest Land:

It was clarified that FRA is applicable to all types of forest land irrespective of classification. This includes reserved forest, protected forest, village forest protected areas, all forest villages and even tiger reserves. In fact, forest rights have been recognized in the core area of BRT reserve, Karnataka and within Simlipal Tiger Reserve (both buffer and core areas), Odisha.

iii. FRA is applicable to all States:

It is important to note that FRA is applicable to all states including Jammu and Kashmir.

iv. FRA is not restricted to Tribals:

There is a general perception that forest rights can only be recognized for the Forest Dwelling Scheduled Tribals (FDSTs). It was clarified that FRA also includes Other Traditional Forest Dwellers (OTFDs).

v. FRA does not mandate Habitation inside Forest land :

It was clarified that for filing claims under FRA, it is not necessary for the claimants to be living inside the forest land. With respect to the eligibility criteria, it has been clarified by Ministry

of Tribal Affairs (MoTA) that claimants who are not necessarily residing inside the forest but are dependent on the forest for their bona-fide livelihood needs would be eligible to file claims under FRA.

vi. Tribals are Integral to the Forest Ecosystem:

Dr. Sahu highlighted that FRA (in its preamble) recognizes that injustice was done to the FDSTs and OTFDs not just in the colonial period but also in the post-colonial period. The preamble also clarifies that tribals are integral to the survival and sustainability of the forest ecosystem. There are viewpoints which suggest that once rights of tribals over forest land are recognized, the forest will be destroyed. However, the FRA in its preamble very clearly says that tribal people and forests are inseparable.

II. Types of Rights recognized:

There are 13 types of rights recognized under FRA which can be broadly divided into three categories:

i. Individual Forest Rights (IFRs):

Under FRA, every nuclear family (as defined under Census) is entitled to forest land for the purposes of habitation or for self-cultivation. The forest right recognized in this case will be restricted to forest land under occupation but will not exceed four hectares.

ii. Community Rights:

FRA recognizes multiple types of community rights. These are mentioned below:

- a. Right of ownership, access to collect, use and dispose minor forest produce.
With respect to rights over minor forest produce, except in the State of Maharashtra, after FRA coming to force no other State has de-regulated the Minor Forest Produce Rules. In Maharashtra, now (after FRA coming into force), the collection, use and selling of all MFPs is done by the GS.
- b. Concession rights known as *Nistar*. In princely states (under British India), the kings used to give concession rights to the local community for grazing, fishing and cultural activities, irrespective of the classification of the forest land.

- c. Rights over disputed lands (under any nomenclature) in any State. For example, in Odisha, lands were given to people for resettlement after the completion of Hirakund dam. However, though these people were living on this land, their right were never recognized. The villagers were enjoying a privilege and not a legal title. It is important to note that while a privilege can be withdrawn at any time, a proper procedure needs to be followed for extinguishing a legal right.
- d. Right for the conversion of pattas, leases to titles. For example, many states in 1950s, 1960s and 1970s gave forest land under Indira Awas Yojna, so these also need to be recognized under FRA.
- e. Right of conversion of all forest villages into revenue villages.
- f. Right to in-situ rehabilitation. It was clarified that before FRA came into existence, many people were displaced from their dwelling and cultivation without any compensation due to various state development intervention. Under FRA, these people need to be resettled in the villages where they were originally living. For example, when Melghat Tiger Reserve (Amravathi, Maharashtra), was being declared, many villages were displaced without any compensation. However, with FRA coming into force, local NGOs petitioned at the District Collector office and one of the village was resettled in the same village from where they were displaced. With respect to this right, if the villagers do not want to live in the same land, alternative land can be provided for.
- g. Rights of the Primitive Tribal Groups (PTGs). There are 75 PTGs in the country and these are seasonal migrants moving from one district to another. Till now, the rights of PTGs have not been recognized. It is important to note that while under IFR, there is an upper limit of 4 hectares, there is no upper limit in these rights. These rights shall be as per the traditional and customary forest boundary of the GS.
- h. Right over Community Forest Resources (also known as CFR Rights). FRA recognizes the right to protect, regenerate, or conserve or manage any community forest resource which they had been traditionally protecting and conserving for sustainable use.

Box No.1: Clarification on the 4 Hectare Limit

The MoTA vide letter No. 2301 I/32/2010-FRA [Vol.II (Pt.)] dated 12.07.2012 clarified that the 4-hectare limit only applies to rights over forest land for habitation or self-cultivation and not to any other rights over forest land such as conversion of pattas or leases and conversion of forest villages to revenue villages.

FRA also allows for diversion of forest land for creation of 13 specified development activities such that area diverted does not exceed one hectare of forest land and entails felling of not more than 75 trees.

Box No. 2: Important Points to be noted

1. Forest Rights are heritable but not alienable or transferable
2. Gender dimension is addressed in IFR. The title is made in the name of both the spouses.
3. 13th December 2005 is the cut-off date
4. All the above rights are conferred free of conditions such as Net Present Value (NPV) and Compensatory afforestation for diversion of forest land

III. Process of Recognition of Rights under FRA

The process of recognition of claims under FRA is detailed in the chart below (see figure 2)

Title Claim and Recognition Process

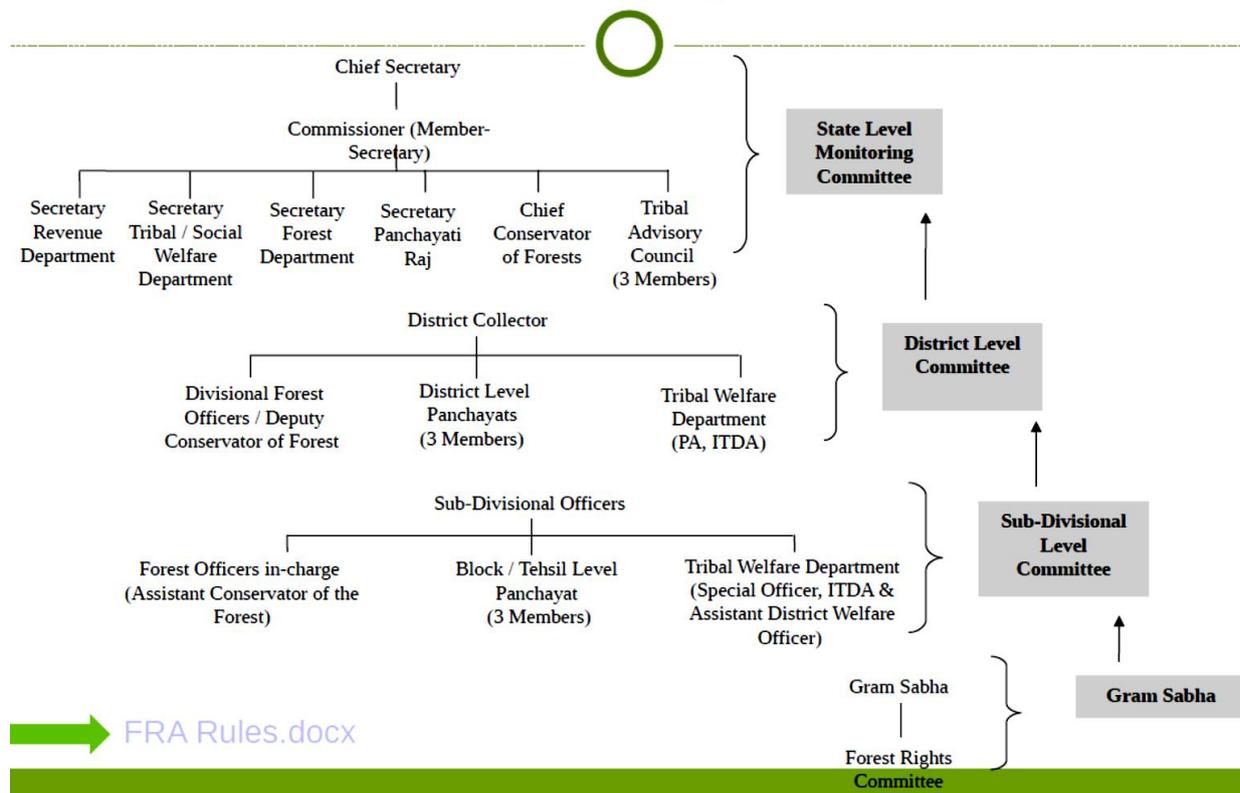


Figure 2: Process of Recognition of Rights under FRA

With respect to recognition of claims to forest rights, following points were clarified.

1. Claims to forest rights cannot be filed in the name of Joint Forest Management Committees /Van Suraksha Samitis or by whatever name they are called. These committees have no role to play in the process of rights recognition under FRA
2. The role of the Panchayats is limited to calling the first meeting of the GS. After that no person from the panchayat has any role to play in the process of rights recognition under FRA.
3. Clarity on the definition of Gram Sabha: GS means village assembly consisting of all adult members of a village. In cases where no Panchayats exists, GS can be formed of hamlets (Padas/Tolas) or any other traditional village institution. A GS can consist of any number of households. For example in Kalahandi district (Odisha) one of the village involved in the Niyamgiri approval was Ijurpa which has only two households.

Here the GS which consisted of these two households rejected the proposal for bauxite mining in Niyamgiri hills.

4. The GS at first issues notice to all the villages to submit claims to forest rights. These claims are submitted to the Forest Rights Committee (FRC) which will examine the claim forms along with the evidences attached, take up site verification of the land claimed and prepare a map. All these claims are then discussed in the GS such that the claimant is present when his claim is being discussed. Once the claims are accepted, they are examined at the SDLC level. If the claims are rejected, the GS needs to document the same in writing and inform the claimant in person giving reasons for rejection. If the person is not satisfied with the reasons, then he/she has the option of challenging the GS decision in the SDLC within 60 days (from the date of decision). If SDLC rejects, then he can approach the DLC, but if the DLC also rejects then claimant has no other option but to exercise his writ petition under Article 32 or Article 226 of Constitution.
5. With respect to evidences, it was clarified that GS, SDLC, DLC cannot insist on any one particular form of evidences. In case they are not satisfied with the evidences, then reasons for the same need to be documented in writing.
6. When claims are submitted to the GS, SDLC and DLC, there is no timeline within which the claims need to be approved. Also, it is important to note that when a particular claim is pending, it does not mean that it is rejected. Also, till the time the claim is pending, the forest dwellers cannot be evicted. After the claim is rejected, then eviction can take place.
7. After completion of the process of settlement of rights and issue of titles, the Revenue and Forest Department shall prepare a final map of the forest land so vested and the rights so vested will be incorporated in the forest and revenue records. Dr. Sahu highlighted that Odisha is the only state where after recognition of rights and issuance of titles, the same was incorporated into the records. Conversion of titles into records works in the following way. For example, one forest compartment is say 40 acres and five people have applied for IFRs with 5 acres each. So the compartment number which was earlier written as PF-900, will now be written as PF-900-1, 2, 3, 4, 5. The legal status of land will continue to be forest and ownership will lie with the government. It is just that it is now documented in writing that the particular persons have been given the right of ownership and self-cultivation. This new record will help the line

departments when they want distribute schemes such as seeds, fertilizers, compensation to natural calamities.

IV. Status on FRA Implementation

Towards the end, Dr. Sahu shared the status of implementation of FRA in the country. He shared data both with respect to IFRs and Community Rights.

Total Number of Recognized Claims (IFR and CFR)	Total Recognized Forest Areas (In acre)	Average Forest Areas Per Claim (In acre)
18,87,894	41,33,891.33	2.19
76,154	88,04,870.81	115.62

Figure 3: Status of IFR and Community Rights Claims as on May 2019

Name of the State	IFR Claims Status			National Status (%)
	Received	Recognized	Forest Area (acres)	
Odisha	6,12,559	4,22,655	6,26,928.74	70.62% (IFR Recognized) 70.07% (IFR Area)
Chhattisgarh	8,56,150	3,98,181	8,36,502.08	
Madhya Pradesh	5,82,302	2,24,882	8,10,233.73	
Tripura	2,00,385	1,27,029	4,60,049.16	
Maharashtra	3,60,452	11,42,16	2,66,329.89	

Figure 4: Status of Recognition of IFR Claims; By Top 5 States

The above mentioned states contribute 70.62% of total IFR claims recognized in the country and in terms of recognized forest area, the contribution is 70.07%

Name of the State	Community Rights Claims Status			National Status(%)
	Received	Recognized	Forest Area (acres)	
Madhya Pradesh	41,795	27,948	13,32,853.11	87.44% (CFR Claim Recognized) 80.10% (CFR Area)
Chhattisgarh	31,515	18,178	18,36,958.74	
Maharashtra	12,007	7,084	27,02,526.55	
Odisha	13,736	6,467	3,42,572.19	
Gujarat	7,187	3,516	11,61,351.49	

Figure 5: Status of Recognition of Claims to Community Right; By Top 5 States

The above mentioned states contribute 87.44% of total Community rights claims recognized in the country and in terms of recognized forest area, the contribution is 80.10%

Technical Session III

Topic: Roles and Responsibilities of the Forest Department in FRA Implementation

Speaker: Dr. Arvind Kumar Jha, Ex-PCCF and DG (Social Forestry), Maharashtra



Dr. Jha in its presentation highlighted the following aspects on FRA:

I. Important Provisions of the FRA for the Forest Department

Before going in detail on the roles and responsibilities of the Forest Department in the implementation of FRA, Dr. Jha highlighted a few important provisions relevant for the department.

I. Specific Target Population:

It is important for the forest department to note that FRA recognizes rights of only two categories of populations: FDSTs and OTFDs. No other category is eligible to claim forest rights. It is the duty of the forest department to ensure that the claimants

to the forest rights are the right people. For example, with regard to right over forest land for self-cultivation, the forest department given their close presence on the field are able to check whether the forest land in question was actually under self-cultivation or not. Similarly, the forest department will be in the best position to check whether the claimant has been residing in the forest land from the cut-off date of 13.12.2005. Therefore, it is important for the forest department to be careful with regard to matters that falls under their knowledge domain. There should be a system to pass this information right from the field staff to the officers present in the meetings of important decision making committees i.e. SDLCs and DLCs.

2. **Nature and Extent to be specified:**

There is an element of conditionality associated with every rights. For example, right over forest land for self-cultivation can only be recognized for those FDSTs/OTFDs who have been cultivating the land themselves, not those who own the land but are based somewhere else and somebody else is managing the land for them. It was further specified that in each type of right, the title to the forest right needs to specify the nature of the right as well as the extent. For example, the FRA recognizes the rights of the forest dwelling communities to own, collect, use and dispose minor forest produce. In this case when title to the right is given, it needs to specify the nature of the concerned minor forest produce say, tendu patta or bamboo. It is important to highlight that as per the law, these minor forest produce must have been traditionally collected. So this condition needs to be fulfilled. Further, it needs to specify the quantum of the minor forest produce that can be harvested from the forest so as to ensure the sustainability of the minor forest produce as well as the continuity of the right itself. The right must be granted keeping in mind the sustainable harvest levels of the minor forest produce.

3. **Duties of the Forest Rights Holder:**

FRA mentions that is the duty of the forest right holders to protect local biodiversity to ensure that habitat of forest dwelling communities is preserved from any destructive practice that threatens their cultural and natural heritage. In this area, there needs to be an interface between the forest department and the forest dwellers who have now become the right holders.

4. **Limited authority on preparation of Management Plans:**

It is important to note the provisions of Rule 4 (1) (f) which defines the authority of the village level committee created by the GS to prepare management plan. However, in practice this section is being used without any limitation. This means that any GS can claim for rights over customary forest land and prepare a management plan. However, it is important to note that only those GS' which have been granted CFR rights under section 3 (1) (i) have the authority to prepare management plans. All others will be governed under section 5 which allows them to do only protection and conservation but not management.

II. Importance of the Role of the Forest Department

Dr. Jha highlighted that the role of the forest department has over time assumed more importance in the light of the amendments made to the Forest Rights Rules by MoTA and other guidelines issued by it. These are highlighted below:

1. **Quorum of Gram Sabha reduced:**

As per Forest Rights Rules, 2008 the quorum of the GS meeting was not less than two-third of all members of the GS. However, this was reduced to one-half in 2012. The reality on ground is however that it is not even half as only 2-3 persons decide on the claims and then signatures are taken from all the members on the resolution taken. Forest officials present in the audience highlighted that in some cases from North Bengal, even the signatures on the resolution are not present. Therefore, it is the duty of the forest department (especially, ground level staff) to check the authenticity of the GS resolutions.

2. **Quality of Evidence reduced:**

As per amendments made in 2012, satellite imagery cannot be taken as such but will be supplemented with other forms of evidence. This has reduced the quality of the evidence used to claim forest rights. Guidelines made by MoTA also clarify that satellite imagery can be used to help a particular claim and not against it. The amended rules further say that procedural aspects will not be the basis of rejection of claims. Dr. Jha highlighted that this is one of the major issue as far as DLC meetings are concerned.

When claims to forest rights are being considered, the DLC mostly ignore the procedural aspects. However, it is important for the forest department to ensure proper procedural system as that becomes verifiable and serves as evidence for long. Another important issue is that MoTA prioritizes number of titles of distributed and not on the quality aspect. Moreover, MoTA also focuses on review of the rejected cases and never on re-opening of the cases where the claims have been accepted.

3. Misuse of section 3 (2):

As per section 3 (2), the Central Government has to provide for diversion of forest land for 13 specified activities (notwithstanding Forest (Conservation) Act, 1980). The 13 activities are as follows: schools; dispensary or hospital; anganwadis; fair price shops; electric and telecommunication lines; tanks and other minor water bodies; drinking water supply and water pipelines; water or rain water harvesting structures; minor irrigation canals; non-conventional source of energy; skill up-gradation or vocational training centers; roads; and community centers. Attached to this is the condition that forest land to be diverted is less than one hectare in each case and entails felling of not more than 75 trees. Moreover, these facilities are to be recommended by the GS.

It was highlighted by Mr. Jha that this provision is being misused to circumvent the the provisions of the Forest (Conservation) Act, 1980 not only in the villages with FDST and OTFD populations but also in others areas. The facilities which are not mentioned in the Section 3(2) have also been created by misusing its provision. For example, a playground of the size of exactly one hectare has been given on 21.10.2010 as forest right in village Chauka, Aurangabad in Maharashtra. Similarly, in Menda Lekha village from Gadchiroli district, the village GS in their claim had asked for 0.95 hectares of forest land for creation of facilities such as community centers, roads, schools, dispensaries and hospitals. In addition, they had also claimed 17.10 hectares for 18 future projects. Similarly, Lendezari village in Nagzira Sanctuary had demanded forest land for 11 future projects. The nature of the projects was not specified in either of the cases. Roads are being allowed in many areas in such a way that that the areas required for the patch falling in each village remains less than one hectare. It was further highlighted that the interpretation of 'community center' is expanded in

Maharashtra to include different types of structures; erection of 33 KV sub center in Kalamgaon (Shankarpur) is done in Gadchiroli using FRA; and so on. Such facilities are being created even in villages where no FDSTs or OTFDs are there as forest right holders. There is no monitoring of such cases by MoTA except that by the number of cases cleared.

In the light of the FRA provisions being misused, the role of the Forest Department to ensure thorough ground verifications becomes all the more important.

III. Implementation of FRA using GIS: Case from Maharashtra

Dr. AK Jha shared with the audience the GPS-based system developed by the Government of Maharashtra for forest land measurement and integrated it with satellite imagery software for verification of forest rights claims under FRA. The Tribal Research and Training Institute (TRTI), Pune facilitated the operationalization and functioning of this system. There are 14,944 Forest Rights Committees (FRCs) across 14,000 villages and 3.82 lakh claimants in Maharashtra, out of which plots in 2.04 lakh cases were measured using GPS. Rest close of 1.80 lakh plots could not be measured due to issues raised by the MoTA on use of GIS Mapping.

This GPS system involved all stakeholders including Tribal Department, District Collectors, SDOs, NGOs vocal in the state regarding FRA. The GIS system for forest rights consists of three stages of requesting, verifying and approving or rejecting land claim requests which are carried out across the village, block and district levels. The TRTI, Pune had organized 4,591 trainings and trained 9,146 government personnel (revenue department, forest department, tribal department, GPS/GIS operators). Further, a total of 99,695 village level functionaries were trained.

The GIS system facilitates quick decision making especially, with respect to claims to forest right for self-cultivation. The condition for the right is that forest land should have been occupied before 13.12.2005 and should be under occupation on 31.12.2007 and finally, the forest land over which is recognised should be less than or equal to 4 hectares. GIS images for 2005 and 2008 can be seen to check whether the land was under cultivation forest land which was under tree cover in 2005 but cleared for vegetation only after 13.12.2005. The example below (see figure 5 and 6) show the case of an ineligible claim as the forest land was

under vegetation (and not under cultivation) in November 2005 but in December 2008, the land was cleared.



Figure 5: Image taken in November 2005



Figure 6: Image taken in December 2008

Most difficult is the area which is near the boundary of the forest. For example, (see figure 7) a case from Gadchiroli district shows how multiple encroachments are being made on the forest fringes.



Figure 7: Encroachment on the forest fringes in Gadchiroli district

There can also be cases where one person had claimed right over forest land and after three years, another person had claimed right on the same patch of land. The system developed by

TRTI helped in detecting such cases as every claimant name was linked to the forest land he had claimed for.

IV. Issues with respect to CFR Rights Recognition: Examples from Maharashtra

The FRA recognizes the rights of the GS to *protect, regenerate or conserve or manage* any community forest resource which they have been *traditionally* protecting and conserving for sustainable use. With respect to CFR, it is important to note that this right can only be given over forest land which the village has been '**traditionally**' protecting, regenerating, conserving and managing for sustainable use. Therefore, evidence proving that area was being traditionally being managed by the claimant GS needs to be given at the time of submitting CFR application. It was shared by forest officials from the audience that as per National Working Plan code, there may be hardly any forest patch which not being managed by the Forest Department as per approved working plan. Therefore, the working plan in itself is a proof that the forest patch is being managed by the department and nobody else.

Dr. Jha highlighted that with respect to CFR rights, it important to note the provisions of the Section 4 (3) which says that recognition and vesting of forest rights with respect to forest land and their habitat shall be subject to the condition that such area was under their occupation before 13.12.2005. Therefore, there is an additional condition which says that right over forest land (and habitat) being claimed in the name of CFR must be under GS occupation before 13.12.2005.

Box No.3: Issues with CFR Rights recognized in Maharashtra

Dr. AK Jha highlighted the issues in the CFR Rights recognized in Menda (Lekha) village from Dhanora Tehsil of Gadchiroli district and from Panchgaon village in Chandrapur district.

With respect to Menda (Lekha) village, the claims to CFR Rights were recognized in the favour of Mr. Birju Jogi Tofa and villagers. There was simply no mention in the claim application that whether the claimants were FDSTs or OTFDs. It is important to note that the FRA recognizes rights of a very specific target population i.e. FDST and OTFD and not anybody else. Further, with respect to area of forest land being claimed, the village had claimed for a total of 1,809.61 hectares out of which 17.10 ha for 18 future projects apparently under section 3(2), each on an area of 0.95 ha so as to remain within the prescribed one ha limit for each case. With respect to rights over minor forest produce, the claim application simply mentioned “*everything available to the villagers and in whatever amount we collect, use and sell*”. Further, with respect to grazing rights, the application read as “*whatever number is there, that much*”. It is important to note that nature and extent needs to be specified with every forest rights. However, these conditions were not looked into while processing the CFR claim made by Menda (Lekha). It is important to note that after recognition of CFR claims, the villagers had felled bamboo, auctioned it and sold it. The village had earned Rs. 69 lakhs from the same. The villagers had over exploited their bamboo harvest in 2014 and in 2017 no bamboo yield was available. It is important to note that as per silvicultural practices, bamboo needs to be felled after every three years.

It is important to note that CFR Rights title to Menda (Lekha) was given three times. In the first title (dated 28.08.2008), it was mentioned that all claims made in the application are accepted. This even included hunting of items like tortoise, crabs, shells etc. It is important to note that under FRA (Section 3 (one) (I)), hunting rights are not recognized. This order of the DLC was then changed and another title was issued dated 15.03.2013. The title now said that CFR right is approved as under Nistar Patrak. This Nistar Patrak lists the terms and conditions as per which they used the community land to fulfill their basic necessities. However, it is important to note the Nistar Patrak is for the whole village and not limited to FDSTs and OTFDs alone. Finally, the title was issued on 06.05.2013 wherein it simply says that rights have been granted under FRA (reference being made to particular sections) with no mention of the nature and extent of the title.

The example of Menda (Lekha) has been emulated by Panchgaon village where even though no title for management of forest had been given by the DLC, the GS had started felling bamboo. In fact, clear felling had taken place in the village. Moreover, the GS had also passed a resolution that no forester/forest guard or any officer from the forest department will be allowed to enter the CFR area of the village unless they sign in the village register.

V. Roles and Responsibilities of the Forest Department in Implementation Phase:

The responsibilities of the Forest Departments in the implementation of FRA are as follows:

1. Dissemination of the contents of Section 13 of FRA:

The provision says that provisions under FRA shall be in addition to and not in derogation of the provisions of any other law. Therefore, it is the duty of the Forest Department to ensure that on ground it is understood that FRA runs parallel to all other Acts in force. It neither supersedes nor suppresses any other Act in force.

2. Provide Inputs to conditions under Section 4 (3) and Section 4 (6):

Further, it is the responsibility of the Forest Department to give their inputs whether conditions under Section 4 (3) and 4 (6) are being fulfilled or not. To reiterate, section 4 (3) says that with regard to recognition and vesting of forest rights on forest land, it is mandatory for the FDSTs and OTFDs to have occupied the forest land before 13.12.2005. Further, as per section 4 (6), such forest land should be under occupation as on date of the commencement of the FRA (i.e. 31.12.2007) and that right over the forest land shall be restricted to area under actual occupation and shall not exceed 4 hectares.

3. Adjudicatory Role:

Being a member of the SDLC, it is the duty of the Forest Department to hear petitions from persons aggrieved by decisions of the GS. Further, it is their duty in capacity of a SDLC member to resolve disputes between GSs on account of conflicting claims or on account of use of common forest areas. Similarly, being a DLC member, it is the duty of the Forest Department to hear petitions from persons aggrieved by decisions of the SDLC. Further, it is the duty of the DLC to resolve disputes between SDLC on account of discrepancy between orders.

4. Procedure to be followed for declaring CWH:

The FRA provides for creation of critical wildlife habitats within National Parks and Wildlife Sanctuaries. These are demarcated on the basis of scientific and objective criteria that these areas are to be kept inviolate for wildlife conservation. In case it is

unavoidable but to resettle the forest rights holders from critical wildlife habitats, a resettlement package will be prepared. The package will provide for a secure livelihood for the affected individuals and communities. It is the duty of the GS to consider these packages and pass appropriate decisions. No resettlement will take place without the written prior informed consent of the GS. Lastly, the FRA also mandates that critical wildlife habitats from where right holders are relocated for the purposes of wildlife conservation shall not be subsequently diverted by the State or Central Government or any other entity for other uses. It is the duty of the Forest Department to ensure that the above conditions are fulfilled while creation of Critical Wildlife Habitats.

5. **Mandatory Presence during Site Inspection:**

After the claims to forest rights are received by the Forest Rights Committee (FRC), they inform the forest guard that they will visit the site and verify the nature and evidence on the site. It is mandatory for the Forest Department to be present during the site verification. It is the duty of the Forest Department to sign the verification proceedings with their designation, date and comments, if any.

6. **Provide inputs with respect to Section 3 (2):**

FRA allows for diversion of forest land (notwithstanding Forest (Conservation) Act, 1980) for creation of facilities which involve felling of not more than 75 trees and does not exceed more than one hectare. It is important for the Forest Department to ensure that these conditions are fulfilled on the ground.

7. **Inputs with regard to Transit Permit Regime:**

Dr. Jha highlighted that with respect to transit permit regime it is important for the senior forest staff to ensure an interface between the community and forest department. It was clarified by Dr Jha that transit permit regime under FRA only applies to only those minor forest produce where FRs have been given. There are other minor forest produce where no FRs have been given and for these the transit permit will be as per the old system. For example in Maharashtra, the transportation of minor forest produce from the collection site to the village is based on the permit given by the Gram Panchayat. Once when all the collected forest produce has

been deposited in the village, its movement outside the village is subject to the transit permit issued by the Forest Department.

8. **Provide information to Gram Sabha about their duties:**

In the capacity of being the forest department, it is the duty of the SDLC to provide information to the GS about their duties. Dr Jha highlighted that in no State this has been done. In Maharashtra, this was started but the practice was discontinued. Further, in the capacity of being a member of the SDLC, it is the duty of the Forest Department to provide village maps.

9. **Attend DLC meetings with records:**

It is the duty of the Forest Department to assist the DLC in examining the claims made to CFR Rights. Given their presence on the field, Forest Department is in the best position to check whether the claimant GS had been traditionally managing and conserving the forest land and if they had occupied the land before 13.12.2005. This is the information that FD has and DLC does not.

10. **Assist SLMC:**

The PCCFs are a member of the SLMC meetings. Therefore, they should be equipped with information from the field so that they can raise their views or objections if any. In this context, there should be a system of information sharing right from the forest guard level to the PCCF level.

VI. Post FRA Recognition Challenges for the Forest Department:

With respect to implementation of FRA, there are multiple challenges for the Forest Department. These are listed below:

1. **Removal of rejected claims:**

The FRA comes with a protective clause according to which no member of FDSTs OTFDs will be evicted or removed from the forest land under their occupation till the recognition and vesting of forest rights is complete. However, in cases where the claims made to forest

rights have been rejected, the Forest Department needs to examine that how such cases will be dealt with at the ground level.

2. Specifying the nature and extent of Community Rights and Community Forest Resource Rights:

An important concern is with respect to specifying the nature and extent of rights. For example, with respect to rights over minor forest produce, the title needs to specify the minor forest produce over which right is given. Further, the title also needs to specify the quantity of the forest resource that can be harvested from the forest so as to ensure sustainability of the forest as well as the right itself.

3. Conflict between FRA and Biological Diversity Act

One Important challenge is to integrate the provisions of FRA and Biological Diversity Act. The FRA gives GS (constituted at the village level) the authority to manage their common forest land and empowers them to conserve forest, wildlife and biodiversity. In order to carry out the same, the GS will prepare a conservation and management plan. Further, the Biological Diversity Act mandates constitution of Biodiversity Management Committees (BMCs) (at the local body level) which are responsible for conservation and sustainable use of biological resources within the jurisdiction of the local body. The primary function of the BMC is to prepare People Biodiversity Registers (PBRs) which comprehensively document the biological resources found within the jurisdiction of the local body. Further, based on the PBR prepared, every BMC will prepare an Action Plan which will outline steps for local biodiversity conservation.

Therefore, it needs to be detailed that how the conservation and management plan prepared by the GS and the Action Plan prepared by the BMC for the same forest land will be merged with each other.

4. Merger of Micro Plan with Working Plans:

With respect to CFR rights, GS has the authority to develop its own simple format for conservation and management plan for community forest resources which its members can understand easily. However, while these micro plans are restricted to common forest land within the traditional/customary village boundaries, the working plans prepared by the Forest Department are for a particular

Questions and Answer Session



Q1: Can a part of the sanctuary of national park can be de-notified?

A1: The word de-notification and de-reservation does not exist under Wildlife (Protection) Act, 1972. What is allowed is deletion of certain areas within sanctuary and national parks for rationalizing/alteration of the boundary. It is also important to note that while under Wildlife (Protection) Act, 1972 de-notification of a tiger reserve is allowed in public interest; there is no provision for de-notification of a sanctuary or a national park.

Q2: Can a tiger reserve be de-notified to the revenue land also?

A2: The Wildlife (Protection) Act, 1972 is silent on the same. The word that is used in the Act is that in public interest the de-notification of the tiger reserve can be done. If a tiger reserve also happens to be a national park or a sanctuary, then it cannot be de-notified.

Q3: Is the Office Memorandum (OM) of the Ministry of Environment, Forest and Climate Change dated 05.02.2013 and titled Diversion of forest land for non-forestry purposes under Forest (Conservation) Act, 1980 – Ensuring compliance with Scheduled Tribes and Other

Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006” exempting linear projects from obtaining prior GS consent illegal?

A3: Yes, the OM is illegal. Supreme Court has clarified that OM is not the law, it is not a delegated legislation. A notification is a delegated legislation but an OM is not. Guidelines facilitate implementation of the law, but if it is in contradiction to the Act or the Rules, then it is illegal as well. The exemption given to linear projects is not in accordance with the FRA and Forest Rights Rules.

Q4: Settlement of rights is required at the time of Stage-I approval or Stage-II approval under the Forest (Conservation) Act, 1980?

A4: During Stage-I approval, the no objection from the GS is not mandatory, it only at the time of Stage-II approval that is required. But the MoEF&CC gives the working permission/tree felling permission after the Stage-I (for linear projects), so the consent has no value on the ground.

Q5: If a person is living outside the forest but using the forest for collecting minor forest produce, is it will be qualified as an individual right or a community right ?

A5: It will be qualified as a community right.

Q6: Forest land was leased in the British period to a man in West Bengal. However, that person does not exist anymore and the land is now under occupation of a tribal man. The tribal has now claimed IFR showing the documents that the forest land was under his occupation before 13.12.2005. So is this claim valid?

A6: If the Tribal is able to show that forest land was under his occupation before 13.12.2005, then the claim is valid. It is important to note that when the GS approves that claim, they have to give in writing that the Tribal is the real owner of the land and the same is not leased to anybody else. When the District Collector examines the claim, the question of dispute that originally the land was leased to somebody else can be brought in. However, in the DLC meeting if the Collector rules that legality does not matter (as the person is able to show that he was living here before 13.12.2005) and if there are objections raised to the same, then the DLC decision can be challenged in the High Court.

Q7: What is the status of land after conversion of forest villages into revenue villages takes place?

A7: The status of the land remains as forest land.

Q8: What is the use of converting forest villages into revenue villages?

A8: After conversion, the village can apply benefits such as MGNREGA, seed and fertilizer, compensations against natural calamities. If conversion takes place, the villages will be eligible for benefits under Indira Awas Yojna which is not happening across the country. Example was quoted from Banni grassland where the forest villages are deprived of benefits such as PDS, water supply because they are not revenue villages.

Q9: What is the meaning of '*other traditional right customarily enjoyed by the FDST or OTFD excluding hunting*'.

A9: This was clarified by the following example. Dongria Kondhs as per their customary and religious law used to worship the mountains as their deity Niyam Raja resides in the hill top of Niyamgiri Range. Such religious rights are recognized under the clause.

Q10: Does fishing also come under the definition of hunting?

A10: The word hunting will be interpreted as per the Wildlife (Protection) Act, 1972. As per the law, hunting applies only to scheduled species. Therefore, as far as fish species is concerned, fishing of only whale shark and Shark Rays will be termed as hunting. Fishing of rest of the Fish species will not be counted as hunting.

Q11: Can fishing be allowed in National Parks and Wildlife Sanctuaries?

A11: FRA recognizes all types of rights that were being customarily enjoyed (including grazing and fishing rights) on all types of forest land irrespective of classification. This includes Wildlife Sanctuaries and National Parks. However, this needs to be read with other laws and Supreme Court Orders being in force. The Supreme Court in their order dated 25.11.2005 in the matter of *TN Godavarman Thirumalpad Vs. Union of India and Others* (W.P. No 202/1995) which says that only those activities will be allowed in the National Parks and Wildlife Sanctuaries which are within their approved management plan. Therefore, if a claim is made for fishing rights in a National Park/Wildlife Sanctuary then it needs to be checked if fishing is allowed in

the management plan and in the sanctuary notification. If not, then the claim for fishing rights cannot be accepted.

Q 12: How to establish the customary and traditional forest boundary of the GS?

A 12: In the pre-colonial period, the Britishes had a village wise settlement policy. Under this settlement policy, compartment wise demarcation was done. The boundary of every village was very clearly defined. In many States, the settlement is still going on. At present there are thousands of un-surveyed villages in the country and there are around 4,000 forest villages. The settlement officer was supposed to go to every village but the terrain was such that the village was never surveyed. Now the government says that these villages need to be settled. So this is an ongoing process.

Q13: Can private players be allowed to set up development activities (those listed under 3 (2)) over forest land?

A13: No, private players cannot set up facilities over the forest land under Section 3 (2). FRA very clearly says that the activities mentioned under this provision will be managed by the Central Government.

Q14: Do claims for development rights go to the MoEF&CC?

A14: No, these claims can be processed at the DFO level. The only role of the Central Government is that it will certify that area of forest land is less than one hectare and that not more than 75 trees will be felled. The central government has no right to reject the proposal.

Q15: If the claims are rejected by the GS can SDLC take *suo moto* action?

A15: Under FRA, it is the duty of the SDLC and DLC to ensure that all information regarding the FRA process is given to the GS. Starting from the claim form to the recognition process, the GS members need to be trained. So the SDLC and DLC can take *suo moto* action if they think there are reasons for the same. Moreover, no claim cannot be rejected on merely technical and procedural grounds. Therefore, if the SDLC/DLC has a reason to believe that the GS rejected as claim based on these grounds, they can take action on the same.

Q16: Are decision in SDLC/DLC meetings taken on majority?

A16: Yes, decisions in SDLC/DLC meetings are taken by majority. However, there have been in cases (in Gadchiroli district) where the DFO has objected to a claim whereas other members have supported the claim. In these cases the District collector decided to go ahead with the claim based on the majority vote. It is important to note that since DFO is unsatisfied, there is no need for him/her to sign the title but reasons for objection need to be given in writing. The title to the forest right will be valid but a resolution from the District Collector needs to be attached (to the title) saying that the particular claim was considered in the DLC meeting where the DFO objected but the claim was accepted based on majority view.

Q17: Are Community Right heritable?

A17: Yes, Community Rights claims are heritable.

Q18: Is eco-tourism a non-forestry activity under Forest (Conservation) Act, 1980?

A18: Under Forest (Conservation) Act, 1980, 'non-forestry purpose' has been defined as breaking up or clearing of any forest land or portion for the purposes of e cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants and any other purpose (other than re-afforestation). This does not include any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes. Therefore, if eco-tourism involves clearing or breaking of forest land then it will require prior approval from the Central State Government.

Q19: Can the Forest Department issue NOC with respect to development activities (such as roads, transmission lines) listed under Section 3 (2) of FRA in a forest village?

A19: Yes, the Forest Department can give NOCs after ensuring that forest land involved is less than one hectares, tree felling is less than 75 trees and GS has passed a resolution that this is a facility required by the community.

Q20: What happens when forest land over which an IFR title has been given is leased for the purposes of constructing a restaurant/hotel?

A20: IFRs over forest land are only recognized for the purposes of habitation or self-cultivation for livelihood. Since the forest land is not being used for these purposes, the IFR title can be withdrawn.

Q 21: What is the difference between Critical Tiger Habitat (CTH) and Critical Wildlife Habitats (CWH)?

A21: CTH under Wildlife (Protection) Act, 1972 are defined as areas within National Parks and Wildlife Sanctuaries where it has been established on the basis of scientific and objective criteria that such areas are required to be kept inviolate for the purposes of tiger conservation. The Act allows for de-notification of a CTH in public interest with the approval of the National Tiger Conservation Authority (NTCA) and National Board for Wildlife (NBWL).

CWH under FRA are defined as areas within National Parks and Wildlife Sanctuaries where it has been established on the basis of scientific and objective criteria that such areas are required to be kept inviolate for the purposes of wildlife conservation. Unlike CTH, a CWH can never be de-notified. Section 4 (2) very clearly say that once an area is declared as a CTH, it cannot be diverted by State Government, Central Government or any entity for any other use.

Therefore, while CWH is permanent category but CTH is not.

Q22: Is right to forest land for habitation or self-cultivation under FRA a *Patta* Right?

A22: Right to forest land for habitation or self-cultivation is not an ownership right. It is only a heritable right but inalienable i.e. it cannot be sold. Therefore, it is not a *patta* right but a restricted qualified right. It is a misconception that anybody who has an IFR over the forest land will stand on the same footing as the owner of a revenue land. However, this is not the case. The FRA talks about ownership only in the context of minor forest produce.

Feedback regarding the Sensitization Workshop

Post the technical sessions, a form was given to the participants to collect information regarding their view of the workshop. The feedback form used is shown in the figure below.

Participant's rating on the relevance of the workshop in terms of Responsibility towards FRA:

The participants were asked to rate on the relevance of the workshop in terms of their responsibility towards implementation of FRA. All 23 participants that filled the feedback form (100%) found the workshop to be very relevant to their job.

Participant's rating on New Information acquired from the Workshop:

The feedback form asked for participants' responses regarding how much of new information (%) they acquired from the workshop. 83% of the participants felt that they acquired between 26-75% of new information during the workshop. 13% of the participants felt that less than 25% of new information was acquired during the workshop. Figure-8 shows the rating given by the participants with respect to new information acquired from the workshop.

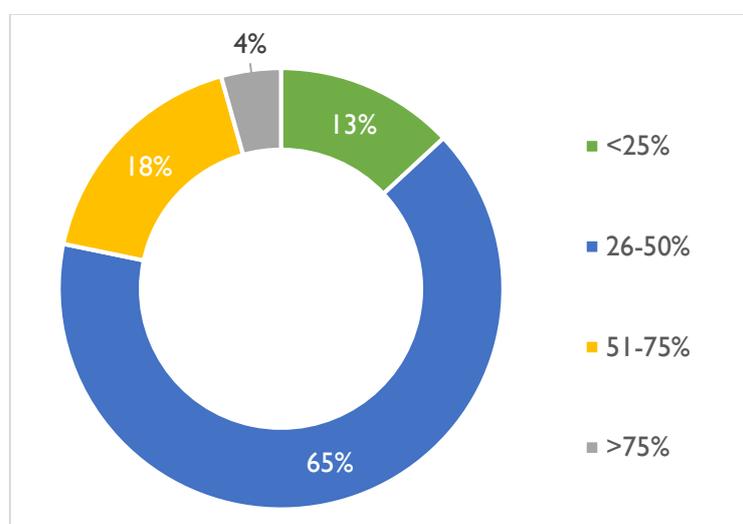


Figure 8: Percentage (%) of new information acquired by the participants from the workshop

Participant’s rating on Knowledge Enhancement from Workshop:

The feedback form asked for participant’s view on whether the workshop enhanced participant’s knowledge towards their responsibility in implementation of FRA. 100% of the participants answered in positive. Which implies that all forest official present found that the sensitization workshop enhanced their knowledge towards their responsibility in FRA implementation.

Participants rating on the Duration of the Workshop:

The feedback form asked for participant’s view on the duration of the workshop. Majority (83%) found the workshop duration to be appropriate. 9% of the participants found the workshop duration to be very long and 4% found the workshop duration to be very short. Lastly, 4% of the participants did not answer this particular question. Figure 9 shows the rating given by the participants with respect to duration of the workshop.

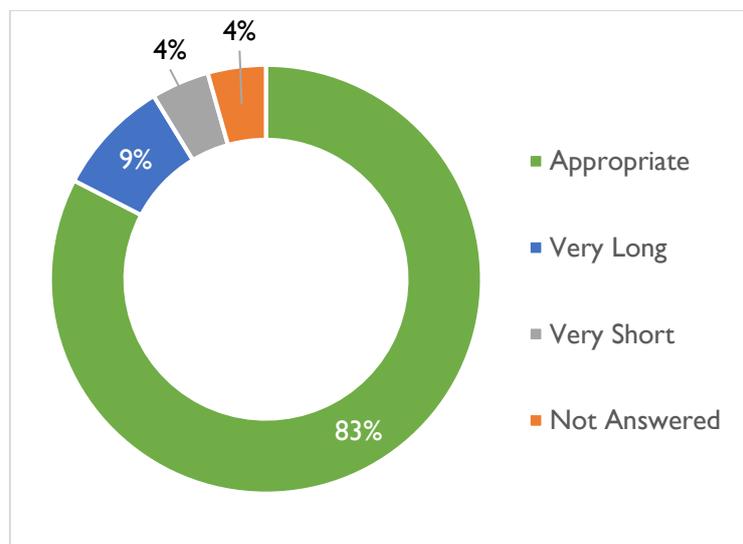


Figure 9: Percentage (%) of new information acquired by the participants from the workshop

Sensitization Workshop

Legal Issues and Orientation

The Scheduled Tribes and Other Traditional Forest Dwellers

(Recognition of Forest Rights) Act, 2006

Venue: Nature Interpretation Centre Madarihata

Jaldapara National Park, West Bengal

Date: 12th February 2020

Agenda



10:00 am-10:30 am	Inaugural Session	
Technical Session I		
10:30 am-11:15 am	Genesis of the Forest Rights Act and its Importance as a Conservation Tool	Ritwick Dutta, Environmental Lawyer and Managing Trustee, LIFE
Tea Break: 11:15am-11:35am		
Technical Session II		
11:35am-12:30 pm	The Recognition Process in the Implementation of Forest Rights Act, 2006	Dr. Geetanjoy Sahu Associate Professor, TISS Mumbai
12:30pm-1:00 pm	Question and Answer Session based on Technical Session I&II	
Lunch Break 1:00 pm-2:00 pm		
Technical Session III		
2:00pm-3:30pm	Role of the Forest Department in the Implementation of Forest Rights Act, 2006 on ground	Dr. Arvind Kumar Jha Former PCCF (Social Forestry) Maharashtra
Tea Break: 3:30pm -3:50pm		

3:50 pm-4:30pm	Panel discussion on Key Issues and Key Learnings	Panel consisting of all speakers and representative of the Forest Department
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List of Participants

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