Dear Shri Sarkar ji,

I am writing this letter in connection with implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in the State of Tripura.

While the Ministry is appreciative of the progress made by your State towards implementation of the Act, I would like to mention certain aspects of the Act which need your personal attention. These are discussed below:

(i) **Community claims**

As of 31st July 2010, only 277 community claims have reportedly been filed. Considering that Tripura is a tribal majority State, the number of community claims filed is very low. This could be due to inadequate publicity of the provisions of the Act and the Rules framed thereunder amongst the eligible claimants/communities in different parts of the state. Since most community claims relate to the ownership of minor forest produce, the State Government should launch a special campaign for generating widespread awareness about these community rights, if necessary, by re-
training field level functionaries engaged in the processing of such applications. The Gram Sabhas in the State may be given instructions to facilitate the collection of more community right claims. Support of local resources institutions under the State Government may be enlisted for this purpose.

(ii) Rejection of claims
It is observed that out of a total number of 1,72,304 claims filed in the State till 31st July, 2010, 55,997 claims were rejected. This works out to 32.49% of the total claims filed, which is quite high and a matter of concern. The Ministry has already requested the State Government, vide former Secretary (TA)'s D.O. letter No.23011/24/2009-FRA dated 15th July, 2010, addressed to Chief Secretary, Tripura, to categorise all rejections with their numbers, on a statistically acceptable sampling basis, at the level of Gram Sabha and SDLCs, in different categories specified in the said letter, and to incorporate this information in the monthly progress report being sent to this Ministry on implementation of the Act. The concerned State Government officials may be directed to complete this exercise and send this information to this Ministry every month.

(iii) Convergence of Government programmes
Having achieved the primary aim of distributing titles, there is a need to bring about the convergence of Government developmental programmes so that the standard of living of the title holders improves and they are weaned away from the timber related activities. The Hon'ble Prime Minister, in
his inaugural address at the two-day Conference of the Chief Ministers and State Ministers (Tribal Welfare / Social Welfare and Forest Department), convened by this Ministry in November, 2009 had also, inter alia stressed the need for dovetailing all development and welfare programmes in tribal areas for a coherent strategy and coordinated approach involving all departments. The observations of the Prime Minister were conveyed to the State Government, vide my letter No. 23011/20/2009-FRA dated 19.11.2009 and again on 18.2.2010 for taking necessary measures in this regard. The Ministry may be apprised of the action taken in this regard.

(iv) Diversion of forest land for development activities

Section 3(2) of the Act provides for diversion of forest land for certain development activities, specified in that Section, which involve felling of trees not exceeding seventy five per hectare. The Ministry had laid down the procedure for diversion of forest land under Section 3(2) of the Act on 18th May, 2009. The Ministry has, however, not been apprised of the status of the proposals, if any, received by the State Government under this Section and the action taken thereon by the State Government.

(v) Determination and notification of critical wildlife habitats in the National Parks and Sanctuaries

Under Section 2(b) of the Act, the Ministry of Environment & Forests is responsible for determination and notification of critical wildlife habitats in the National Parks and Sanctuaries.
According to the information received from the Ministry of Environment & Forests, while the Government of Tripura has constituted the State Level Committee for determination and notification of critical wildlife habitats, no further progress has been made in this regard. The State Government needs to take action in this regard on priority basis.

(vi) **Eviction of forest dwelling STs from National Parks and Sanctuaries**

The Ministry has been receiving complaints from time to time that some Scheduled Tribe persons living in National Parks and Sanctuaries are being forced to leave these areas without their rights under the Act being decided one way or the other pending determination and notification of critical wildlife habitats in these areas. I have already written to you separately, vide my D.O. letter No. 17011/01/2010-FRA dated 30.8.2010, enclosing a copy of letter No.7-12/2010-FRA dated 21.6.2010, issued by the Ministry of Environment & Forests directing the PCCPs in all the States/UTs requesting to ensure that the provisions of the Forest Rights Act should be duly complied with before taking any decision on displacement of Scheduled Tribes from National Parks and Sanctuaries. Steps may be taken for effective implementation of these instructions.

(vii) **Conversion of forest villages into revenue villages**

Section 3(1)(h) of the Act envisages conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages. The Ministry had requested the State
Government as early as on 25th February, 2008 to initiate action for conversion of all forest villages in your State / UT into revenue villages as per the guidelines issued by the Ministry of Environment & Forests and to intimate this Ministry of the progress made in this regard (number of forest villages, number processed for conversion to revenue villages, number converted with number of families, etc.). The Ministry is yet to hear about the action taken by the State Government for implementing the above provisions of the Act.

I shall be grateful if necessary action on the above issues is taken on priority basis and this Ministry apprised of the progress made at an early date.

With warm regards,

Yours sincerely,

(Kanti Lal Bhuria)

Shri Manik Sarkar,  
Chief Minister,  
Government of Tripura,  
Agartala.