Dear Shri K. Rosaiah ji,

As you are aware, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 envisages the recognition and vesting of forest rights in forest dwelling Scheduled Tribes and other traditional forest dwellers over forest land in the National Parks and Sanctuaries also.

As per the information available with the Ministry, critical wildlife habitats in the National Parks and Sanctuaries are yet to be determined and notified under Section 2(b) of the Act, and, therefore, no action has been taken by State / UT Governments for the recognition and vesting of rights of forest dwelling Scheduled Tribes and other traditional forest dwellers occupying forest land in the National Parks and Sanctuaries. In fact, the rights need to be recognized first in the National Parks and Sanctuaries before undertaking any exercise for resettlement. No eviction and resettlement is permissible till all the formalities are completed.

Complaints were received in this Ministry 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. The matter was accordingly taken up with the Ministry of Environment and Forests for issuing instructions to all State Forest Departments to faithfully implement the provisions of the Forest Rights Act before taking any decision to evict the Scheduled Tribes living in these areas.

Consequently Ministry of Environment and Forests has requested all the State Governments to ensure that before taking any decision on displacement of Scheduled Tribes from National Parks and Sanctuaries, the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be duly complied with. A

Contd.... P/2

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Ministry of Environment & Forests letter No.7-12/2010-FP dated 10, addressed to the Principal Chief Conservators of Forests, Government of Forests of all States/UTs issued in this regard, is enclosed.

I shall be grateful if you could kindly ensure effective implementation of instructions issued by Ministry of Environment and Forests in your jurisdiction.

With regards,

Yours sincerely,

(Kanti Lal Bhuria)

Sir,

Chief Minister of Andhra Pradesh,
F.No.7-12/2010-FP
Government of India
Ministry of Environment & Forests
(PF –Section)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110003

Dated: 21.06.2010

To

The Principal Chief Conservator of Forests,
Department of Forests,
All States / UTs.

Subject: Compelling the Scheduled Tribes dwelling in the National Parks and Wildlife Sanctuaries to leave the premises of National Parks and Wildlife Sanctuaries without settling their rights under the provisions of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Sir,

Please find enclosed herewith a copy of D.O. letter No. 23011/29/2009-S.G.-2(FRA) dated 06.05.2010 as received from Shri Kanti Lal Bhuria, Hon’ble Minister of Tribal Affairs, Government of India on the subject cited above. In this regard, it is to inform that before taking any decision regarding the displacement of Schedule Tribes from National Parks and Wildlife Sanctuaries, it must be ensured that the Provisions of Scheduled Tribes and Other Traditional Forest Dweller (Recognition of Forest Rights) Act, 2006 have been duly compiled with. This is also needed to evaluate the compensation to be paid to them through award of collector.

Yours faithfully.

Encl. As stated above
Sd/-

(Mohan Lal)
AIG (FC)

Copy to:

Member Secretary, NTCA, Govt. of India, Bikaner House, New Delhi for information.

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फाइल सं. 7-12/2010 एफकी
भाषा संक्षिप्त
पर्यावरण एवं वन मंत्रालय
(एकधी अनुभाग)

पर्यावरण भवन,
सीजीओ कॉम्पलेक्स, लोडी रेडिंग,
नई दिल्ली-110003
dिनांक: 21.06.2010

सेवा में,

प्रधान मुख्य वन संस्थान,
वन विभाग,
सर्वी राज्य/संच संस्थ राज्य क्षेत्र

विषय: अनुसूचित जनजाति तथा अन्य परस्परावलम्ब वन निवासी (वन अधिकारियों का मान्यता)
अभिविन्य, 2006 के प्रावधानों के तहत राष्ट्रीय उद्यमों और वन जीव अवसादणों में
रहने वाली अनुसूचित जनजातियों के अधिकारियों का निपटान किये बिना उन्हें राष्ट्रीय पाकों
तथा वन जीव अवसादणों का परिसर छोड़ने के लिए बाध्य किया जाना।

महोदय,

कृपया दिनांक 06.05.2010 के अर्थशास्त्रीय पत्रक 23011/29/2009-एसजी-2
(एफक्यूएस) की संलग्न प्रति का संदर्भ ग्रहण करें जो उपरोक्त विषय पर श्री कौंतिलाल गुरूरेड्डी,
माननीय जनजातीय कार्य मंत्री, भारत सरकार की ओर से प्राप्त हुआ है। इस संदर्भ में आपको सूचित
किया जाता है कि राष्ट्रीय उद्यमों और वन जीव अवसादणों से अनुसूचित जनजातियों के विस्तार
के संदर्भ में कोई निर्यात लेने से पूर्व यह सूचित किया जाना चाहिए कि अनुसूचित जनजाति तथा
अन्य परस्परावलम्ब वन निवासी (वन अधिकारियों का मान्यता) अभिविन्य, 2006 के प्रावधानों का
बधावीक्षित अनुपालन किया गया है। समाहारियों के पुरस्कार के माध्यम से उन्हें देख बहसिती का
गूँजाकर किए जाने की भी आवश्यकता है।

श्वादीय

(गोहन लाल)
एआईजी (एफसी)

संलग्न: जैसा उपरोक्त है।

प्रति प्रेषित

सदस्य सचिव, एनटीसीए, भाषा संस्कार, बीकानेर हाउस, नई दिल्ली को सूचनार्थ।