

No. 23011/07/2015-FRA
Government of India
Ministry of Tribal Affairs
(FRA Division)

R.No. F-281, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi
Dated: 24th February, 2015

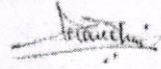
Office Memorandum

Subject: Follow up on decisions taken in a meeting held between the Hon'ble Minister of State (Independent Charge) for Environment, Forests and Climate Change and the Secretary, Ministry Defence to consider streamlining the process for grant of Forest and Environment Clearance to strategic defence projects – reg.

The undersigned is directed to refer to the Ministry of Defence O.M. No.21/11/2014--D (Coord.) dated 27.1.2015 and to state that the Scheduled Tribes and Other Traditional Forest dwellers (Recognition of Forest Rights) Act, 2006 (FRA) is a law for recognition and vesting of individual and community rights. The Act has no provision to exempt in part or full from the process laid down therein.

2. In Sixth Schedule areas of Assam, Meghalaya, Mizoram and Tripura, most of the Rights over forests is vested with the communities. Besides, in States like Arunachal Pradesh, Mizoram, Nagaland and Hill areas of Manipur, the forests are owned by communities through Village Councils and Village authorities. In respect of reserve forests, the Rights of the people have already been documented in States like Mizoram. In such cases, therefore, the Collectors may give a Certificate to this effect to substantiate that no further procedure with regard to FRA is required. However, it should be ensured that in all cases where forest rights holders are being displaced, they are adequately compensated through proper livelihood plan in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act, 2013).

3. This issues with the approval of the competent authority.


(Roopak Chaudhuri)
Deputy Secretary to the Government of India
Tel.: 011-26182428

To,

Shri H.C. Chaudhary, Director,
Ministry Environment, Forests & Climate Change,
Agni Wing, First floor,
Indira Paryavaran Bhawan
Aliganj, Jorbagh Road,
New Delhi – 110 003

Copy to : Shri Vijay Agrawal, Director (Coord.), Ministry of Defence, South Block,
New Delhi – 110001 – with reference to OM No.21(11)/2014-D (Coord) dated 27.1.2015