

डा. बृजितर सिंह
DR. BACHITTAR SINGH

सचिव
JOINT SECRETARY

टेली/Tele : 23073489

फैक्स/Fax : 23070489



सत्यमेव जयते

भारत सरकार

GOVERNMENT OF INDIA

जनजातीय कार्य मंत्रालय

MINISTRY OF TRIBAL AFFAIRS

शास्त्री भवन, नई दिल्ली-110115

SHASTRI BHAWAN, NEW DELHI-110115

E-mail : bsingh@nic.in

Website : www.tribal.gov.in

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Please refer to the discussions held on 6th July, 2010, regarding the implementation of the Forest Rights Act, 2006 in the State of Assam. Hon'ble Minister of Tribal Affairs, Government of India and Hon'ble Chief Minister of Assam State chaired the meeting.

2. During the discussions, it was pointed out that the District Level Committees and the Sub-Divisional Level Committees in 4 districts under BTC (6th Scheduled Area) had not been formed as the Deputy Commissioners in the BTC areas had no role. The clarifications given by the Ministry of Tribal Affairs that the Deputy Commissioners should head the DLCs was contrary to the provisions of the 6th Schedule and, as such, not acceptable to the BTC authorities. It was clarified by me that there were 6th Scheduled Areas in other States also where these committees were headed by the Deputy Commissioners. In BTC areas also, the Deputy Commissioners could chair the meetings of these Committees and co-opt a representative of the BTC authorities. It was agreed to have a dialogue on the matter.

3. It was pointed out that the State Government was not furnishing information regarding the number of claims rejected in the monthly progress report. The information regarding the forest land for which titles had been distributed was also not being furnished. I emphasized that the State Government should furnish the requisite information in the prescribed proforma.

4. It was also stated that the status of implementation of the community claims filed and the number of titles distributed for the community claims was also not satisfactory. The State Government should take steps for inviting more community claims and expedite settlement of all the pending claims.

5. It was also mentioned that the State Government had not taken any action for implementation of section 3(2) of the Act for diversion of forest land for provision of developmental facilities specified in that section. The State Government should expedite action in this regard.

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6. As regards the order of the High Court of Assam dated 1.12.2009 not to confer titles to the encroachers, it was pointed out that the High Court had not stayed the operation of the Act. The State Government should, therefore, implement the Act and distribute the title deeds to the eligible claimants under the Act.

7. As regards the other tribal welfare schemes being implemented in the State, it was stated that the State Government should send their proposals under these schemes to this Ministry at the earliest, along with the utilization certificates and the physical progress reports to facilitate the releases under different schemes.

Yours sincerely

Sd/-

(Dr. Bachittar Singh)

Shri Shyam Mewara
Principal Secretary
W.P.T. & B.C. Department
Government of Assam, Dispur
Guwahati - 781006.