

D.O. No.23011/24/2009-FRA

27<sup>th</sup> December, 2010.

Dear

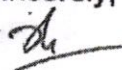
Concerns have been expressed at various fora in the context of implementing the Forest Rights Act (FRA) in letter and spirit. Some of these are listed below:

- FRA is not being implemented in all the areas it is applicable to.
- Gram Sabhas not constituted at appropriate levels.
- Gram Sabhas not being allowed a due and effective role as per FRA.
- Forest Rights Committees (FRCs) not constituted as per law. They are required to be enabled/empowered to discharge their functions as per law.
- Records of claims being prepared by entities not authorized by law.
- Community forest rights/resources not being recognized/maintained as per law.
- Evidence made admissible under Rules not being recognized while deciding the claims.
- SDLCs not constituted as per law and not doing the assigned duty.
- SDLCs and DLCs not deciding cases following letter and spirit of the FRA.
- Sub-Divisional level Committees (SDLCs) and District level Committees (DLCs) are not providing adequate information to Gram Sabhas as per Rules.
- Claimants not being informed of the outcome of their applications thereby defeating the right to appeal.
- Evictions taking place/rights being defeated in violation of the FRA.
- Extent of land not being given as per FRA.

- GPS technology not being used in a fair way. Being used mainly reduce the area claimed.
- Satellite imagery generally not being used along with ground truthing.
- Difficulties in getting ST certificates.
- Other Traditional Forest Dwellers not being given rights in accordance with law by not implementing the FRA even where it applies and by not entertaining their applications for consideration as per law.

2. I would be grateful if you could take these issues also into account in the context of implementation of Forest Rights Act in your State for corrective measures as felt necessary, in accordance with law. In this connection, D.O. letters of even number dated 4<sup>th</sup> May, 2010, 15<sup>th</sup> July, 2010 and 20<sup>th</sup> July, 2010 of my predecessor may also be referred to.

Yours sincerely,

  
(A.K. Chugh)

Chief Secretaries of Andhra Pradesh, Assam, Bihar,  
Chhattisgarh, Gujarat, Jharkhand, Karnataka,  
Kerala, Madhya Pradesh, Maharashtra, Orissa,  
Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh,  
Uttarakhand, and West Bengal.