

No. 23011/23/2017-FRA  
Government of India  
Ministry of Tribal Affairs  
FRA Division

To

Dated 6<sup>th</sup> March, 2018

The Principal Secretary/Secretary,  
All State Governments (except J&K)

Subject:- Nomination of Principal Secretary, Tribal Development Department of State Government as representative of the Ministry of Tribal Affairs in the Expert Committee for determination of Critical Wildlife habitats within National Parks and Sanctuaries.

Sir/Madam,

I am directed to refer to Ministry of Environment, Forest and Climate Change (EFCC)'s letter No. 1-23/2014 WL dated 4<sup>th</sup> January, 2018 under which guidelines for notification of Critical Wildlife Habitat have been issued (copy enclosed) on the subject cited above and to state that you may represent the Ministry of Tribal Affairs in the Expert Committee for determination of Critical Wildlife habitats as per the requirement of Section 2 (b) of Forest Rights Act, 2006, which inter-alia states as follows: -


*"critical wildlife habitat" means such areas of National Parks and Sanctuaries where it has been specifically and clearly established, case by case, on the basis of scientific and objective criteria, that such are required to be kept as inviolate for the purposes of wildlife conservation as may be determined and notified by the Central Government in the Ministry of Environment and Forests after open process of consultation by an Expert Committee, which includes experts from the locality appointed by that Government wherein a representative of the Ministry of Tribal Affairs shall also be included, in determining such areas according to the procedural requirements arising from sub-sections (1) and (2) of section 4", within National Parks and Sanctuaries. In addition to safeguarding the interest of Tribals, the representative of Ministry of Tribal Affairs may keep following in consideration: -*

2. In the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (in Short FRA) there is a provision for the said expert committee under section 2(b) of FRA. Some relevant sections regarding expert Committee are at Annexure. The FRA, rules and guidelines are available on the website of this Ministry i.e. [www.tribal.nic.in](http://www.tribal.nic.in). Being a

representative of this Ministry, it should be ensured that the provisions of the FRA and subsequent amendments, if any, as also the Forest Rights Rules and Guidelines are upheld during the discussions/meetings. This Ministry should also be kept apprised of the proceedings of such discussions, regularly and punctually. Any specific issue that requires coordination by Ministry of Tribal Affairs be immediately referred to the Ministry.

3. You are, therefore, requested to represent this Ministry as Member of 'Expert Committee' for determination of Critical Wildlife habitats within National Parks and Sanctuaries located in your State. It is also requested to critically examine/reiterate that the provisions of Acts and Rights of Scheduled Tribes (STs) & Other Traditional Forest Dwellers (OTFDs) are not taken away or infringed.
4. This issues with the approval of the competent authority in the Ministry.

Yours faithfully,

  
(Shyla Titus)

Deputy Secretary to the Government of India

Tel. 26182428

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Copy to:- Ministry of Environment, Forests and Climate Change (Kind Attn: Sh. S.P. Vashishth, Deputy Inspector General of Forests, WL), Wildlife Division, 6<sup>th</sup> Floor, Vayu Wing, Indira Paryavaran Bhavan, Jor bagh, Aliganj, New Delhi-110003 in reference to letter No. 1-23/2014 WL dated 4<sup>th</sup> January, 2018.