

# Panels to recognise tribal rights under RoFR Act not formed



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VISAKHAPATNAM: DECEMBER 02, 2016 00:39 IST

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Forest Rights Committees at habitation-level and Grama Sabhas have not been formed in accordance with the 2011 Rules of the Panchayat Raj Extension to Scheduled Areas (PESA) bringing Recognition of Forest Rights Act (RoFR) under the purview of the Panchayat Raj institutions.

The Tribal Welfare Department in 2013 notified Panchayat-wise Gram Sabhas and habitations but the FRCs have not been formed.

The revised rules of the Scheduled Tribes and Other Forest-Dwellers' Recognition of Forest Rights Act 2012 stipulate that the habitation committee should receive and verify individual and community claims in the prescribed form along with maps and landmarks and submit them to the sub-divisional committee chaired by RDOs/Sub-Collectors which in turn recommends them to the district-level committee headed by the Collector. The committee comprising 15 locals accepts the claims and after approval by the Gram Sabha sends it to the sub-divisional committee comprising three officials and three representatives of the Panchayati Raj institutions.

The Recognition of Forest Rights Act 2006 recognises both community and individual rights including biodiversity areas, podu cultivation, minor and traditional forest produce,

fishing, toddy-tapping and dispute resolution and dancing sites, says P. Sivaramakrishna, Director of the Search for Action and Knowledge of Tribal Initiative (SAKTI).

The Ministry of Environment and Forests has instructed that all the directions issued under PESA and RoFR be complied with before submitting proposals for diversion of forest land.

Dr. Sivaramakrishna, who filed a public interest petition recently in the High Court challenging the Ministry of Environment and Forests notification dated August 17, 2015 and GO 97 of the State government based on it alienating 1212 hectares of forest land to the APMDC for taking up bauxite mining and issued on November 5, 2015, contended that that none of the instructions issued was followed with regard to proposed bauxite mining in 13 Gram Panchayats of G.K. Veedhi and Chintapalli mandals in Visakhapatnam district.

The Andhra Pradesh government gave an undertaking in the court that the land was not being handed over to the APMDC immediately for bauxite mining.

Dr. Sivaramakrishna says the Sub-divisional Committee should create awareness and direct the Gram Sabhas to form habitation-level committees and submit the applications along with boundary maps with land marks through gram sabhas to the RDO and obtain a receipt, he says.

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