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# ST panels plea SC gives details of Forest Rights Act Petition

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NEW DELHI: The Supreme Court, in response to a request made for the first time by the National Commission for Scheduled Tribes, has provided access to details of the writ petitions and affidavits filed by stakeholders, including states, pertaining to land titles and implementation of the Forest Rights Act 2006.

The petition dwells on the status of land titles given to scheduled tribes and other forest dwellers, claims that have been rejected, and issues concerning forest and wildlife conservation in the context of implementation of the FRA.

With the top court promptly giving access to the documents, the Commission sees this as an big step forward in enabling the study of all dimensions of the implementation of the FRA where striking a balance

between rights of forest dwellers and conservation of forests and wildlife has been a much debated issue. It is learnt that the Commission has so far received affidavits of four states — Chhattisgarh, Rajasthan, Odisha and Goa — from the court. This also sets the ground for the NCST to scrutinise why other states have not yet filed their affidavits despite repeated reminders from the court.

The NCST last year had set up a working group on FRA led by its member Ananta Nayak to study the various concerns associated with the implementation of the law and make recommendations. One of the mandates of the group is to prepare a compendium of relevant laws, rules, policies and data on FRA Act. This group will be studying the documents received from the SC registrar's office.

The Commission has the mandate under Article 338A of the Constitution to requisition any public record from any court or office. However, it was only this year that the Commission for the first time used this clause to write to the SC registrar on February 3 seeking the complete writ petition and all affidavits in the case pertaining to the FRA.

Meanwhile, the Centre informed Parliament on February 8 in response to a written question in Rajya Sabha that as per information shared by states and Union territories up to November 30, 2022, over 44.66 lakh claims for individual forest rights (IFR) and community forest rights (CFR) have been received under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. While over 22.49 lakh land titles (IFR & CFR) have been granted more than 17.29 lakh claims have been rejected by states. In view of the ongoing case in SC, the Centre has been repeatedly asking states to review the rejections properly.

The government informed Parliament that the general reasons of rejections of claims as reported by state governments include non-occupation of forest land prior to December 13, 2005, claim being made on land other than forest land, multiple claims and the lack of sufficient documentary evidence.