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TBD.F(TDM)1-1/2007-XVIII  
Tribal Development Department  
Himachal Pradesh, Shimla

From

Commissioner(Tribal Dev.)  
Himachal Pradesh, Bijlani House, Shimla-171002

To

1. Sh. Ravi Thakur, Hon'ble MLA, Lahaul-Spiti  
Distt. Lahaul-Spiti, H.P
2. Sh. Ram Singh, Advocate,  
VPO Ropa, Tehsil Pooh, Distt. Kinnaur, H.P
3. Sh. Bhajan Singh Thakur,  
VPO Bharmour, Tehsil Bharmour  
Distt. Chamba, H.P.
4. The Principal Secretary (Panchayati Raj) to the  
Govt. of H.P. Shimla-2
5. The Principal Secretary -cum- FC (Revenue) to the  
Govt. of H.P. Shimla-2
6. The Principal Secretary (Forests) to the  
Govt. of H.P. Shimla-2
7. The Principal Secretary(Law) to the  
Govt. of H.P. Shimla-2
8. The Principal Chief Conservator of Forest,  
H.P. Shimla-1

Dated

Shimla-2

18<sup>th</sup> December, 2013

Subject:-

**Proceedings of the meeting of State Level Monitoring Committee constituted under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 held on 10.12.2013 at 3.00 PM under the chairmanship of acting Chief Secretary, Himachal Pradesh.**

Sir,

I am directed to enclose herewith the proceedings of the meeting of State Level Monitoring Committee constituted under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 held on 10.12.2013 at 3.00 PM under the chairmanship of acting Chief Secretary, Himachal Pradesh for your information and necessary action please

Yours faithfully,

  
Deputy Director (TD)  
H.P. Shimla-2

Endst No. & Dated:- As above.

Copy to the Under Secretary(TD) to the Govt. of H.P Shimla-2 for information and necessary action please.

  
Deputy Director (TD)  
H.P. Shimla-2

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**PROCEEDINGS OF THE MEETING OF STATE LEVEL MONITORING COMMITTEE CONSTITUTED UNDER SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006 HELD ON 10-12-2013 AT 3-00 P.M. UNDER THE CHAIRMANSHIP OF ACTING CHIEF SECRETARY, HIMACHAL PRADESH.**

List of Members/Officers present in the meeting is placed at Annexure "A".

The following items were discussed and decisions taken are shown against each item:-

1. **Consideration of the report and draft guidelines submitted by Smt. Upma Chawdhry, Principal Secretary (Rural Dev./Panchayati Raj):**

The SLMC examined the team report submitted by Smt. Upma Chawdhry, Principal Secretary (RD & PR) and the draft guidelines send by her to the Tribal Development Department vide her D.O. Letter dated 9-12-2013.

After detailed discussion, the committee decided as under:-

- i) The Tribal Development Department will issue guidelines to the Department of Panchayati Raj as given at **Annexure-B** of these proceedings for forming FRCs at village level which in turn will circulate these to all Deputy Commissioners and field functionaries of the Panchayati Raj Department. It was decided that Panchayati Raj Department will be responsible for the constitution of Forest Rights Committees at village level under the Forest Rights Act.
- ii) As regarding training to be imparted for the implementation of FRA, the Panchayati Raj Department shall work as Nodal Agency. The Tribal Development Department will write to Ministry of Tribal Development, GOI to provide Resource Persons for training the trainers. The Trainers will be identified by the Panchayati Raj

Department. The Tribal Development Department will provide appropriate funds to the Panchayati Raj Department for arranging the training programmes.

**2. Clarification regarding exemption of application of the Act in the State:**

It was informed that the Tribal Development Department has sent the matter to Law Department for advice. The Pr. Secretary (Law) clarified that the FRA will be applicable throughout the State. The advice on file is being given to the Tribal Development Department shortly. It was decided that appropriate view will be taken in the matter on receipt of Law Department's advice.

**3. Review of action taken over the decisions taken in the previous meeting on 10-10-2013.**

While reviewing action taken on the previous meeting, it was pointed out by Pr. Secretary (TD) that Tribal Development Department has its offices only in Kinnaur District, Lahaul & Spiti District and Pangi and Bharmour Sub Divisions in Chamba District and it has no presence in other parts of the State in terms of office and staff. Since Revenue Department has presence throughout the State, it would perhaps be appropriate to consider transferring this Act from Tribal Development Department to Revenue if permissible under law. It was decided that the matter may be forwarded to Central Ministry for in-principle approval for making Revenue Department as 'Nodal Department' by giving complete justification in this regard.

The meeting ended with a vote of thanks to and from the chair.



Chief Secretary-cum-Chairman,  
State Level Monitoring Committee (FRA), H.P.

List of the Members/Officers present in the meeting:-

1. Sh. Ravi Thakur Hon'ble MLA
2. Sh. Ram Singh Negi Member, TAC/SLMC
3. Sh. Bhajan Singh Thakur Member, TAC/SLMC
4. Sh. V.C. Pharka Pr. Secretary (TD)
5. Sh. Tarun Shridhar Pr. Secy. (Revenue & Forests)
6. Sh. Chirag Bhanu Singh Pr. Secy.(Law)
7. Sh. R. K. Gupta Pr. CCF
8. Sh. Ajay Kumar Addl. Pr. CCF (FCA)
9. Sh. J.C. Chauhan Spl. Secy.-cum-Director (PR)
10. Sh. Rakesh Sharma Spl. Secy-cum-AC (TD)
11. Sh. Kewal Sharma Joint Director (PR)

**Guideline regarding constitution of Forest Rights Committee by convening Gram Sabha meetings at village level for the implementation of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**

- The Panchayati Raj Deptt. will be responsible for the constitution of Forest Rights Committee by convening Gram Sabha at Village level in the State and shall be the Nodal Department for imparting training for constituting the Forest Rights Committees at village level under FRA in the State.
- Forest Rights Committee shall be elected as per Rule 3 by convening Gram Sabha as defined in Section 2(g).
- The "Village" for the purpose of said Gram Sabha shall be village as referred to under Section 2(46) of the Himachal Pradesh Panchayati Raj Act, 1994 in Non-Scheduled Areas and a "Village" referred to in clause (b) of Section 4 of the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 in Scheduled Areas.
- The meeting of the Gram Sabha may be convened by the Pradhan or Ward Member of the Gram Panchayat. The level of authority to convene Gram Sabha be determined by the Panchayati Raj Deptt.
- The Secretary of Gram Panchayat will also act as Secretary to the Gram Sabhas in discharge of its functions as per Rule 11(6).
- The quorum of the Gram Sabha shall not be less than one-half of all members of such Gram Sabha as per Rule 4(2) provided that at least one-third of the members present shall be women.
- Forest Rights Committee will decide on a chairperson and Secretary and intimate to Sub-divisional Level Committee as mentioned in Rule 3(2).
- Gram Sabha and Forest Rights Committees shall exercise such powers and perform such functions as have been entrusted to them under the provisions of Section 6 of FRA, 2006 read with Rules 4, 11, 12 and 13 of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2008/Amendment Rules, 2012.

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