

No. TBD.F (TDM) 1-1/2018-III
Tribal Development Department
Himachal Pradesh, Shimla

From

Commissioner (TD),
Himachal Pradesh, Shimla-2.

To

1. Sh. Vinay Negi,
Member SLMC, VPO Yula, Tehsil Nichar, Distt. Kinnaur
2. Sh. Rajender Bodh,
Member SLMC, VPO Tabo, Tehsil Kaza, District Lahaul-Spiti.
3. Sh. Rakesh Jaryal,
Member SLMC, VPO Chanauta, Tehsil Holi, District Chamba.
4. The Additional Chief Secretary (Revenue) to the
Government of Himachal Pradesh, Shimla-2.
5. The Additional Chief Secretary (Forest) to the
Government of Himachal Pradesh, Shimla-2.
6. The Secretary (Panchayati Raj) to the
Government of Himachal Pradesh, Shimla-2.
7. The Principal Chief Conservator of Forests,
Himachal Pradesh, Shimla-1.

Dated Shimla-171002 the 19th January 2019.

Subject: - Proceedings of the meeting of State Level Monitoring Committee held on 15.01.2019 at 12:30 PM constituted under Forest Rights Act, 2006 under the chairmanship of the Chief Secretary to the Govt. of HP.

Sir,

I am directed to enclose herewith the proceedings of the meeting of the State Level Monitoring Committee regarding Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 held on 15th January 2019 at 12:30 PM under the chairmanship of the Chief Secretary to the Government of Himachal Pradesh for your information and necessary action please.

Yours faithfully,

Deputy Director (TD),
Himachal Pradesh, Shimla-2.

Endst No. & date: As above.

Copy to :

1. The Joint Secretary (TD) to the Government of HP for information please.
2. The All Deputy Commissioners, Himachal Pradesh w.r.t decisions taken on point no. 2 and 6 for taking necessary action.

Deputy Director (TD),
Himachal Pradesh, Shimla-2.

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 under the chairmanship of Sh. B. K. Aggarwal, Chief Secretary, Govt. of Himachal Pradesh on 15.01.2019 at 12:30 p.m. in his office chamber.

The following were present:-

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|-------------------------|-------------------------------|
| 1. Sh. Onkar Sharma | Commr.-cum-Pr. Secretary (TD) |
| 2. Dr. R. N. Batta | Secretary (RD & PR) |
| 3. Ms. Archana Sharma | APCCF & Nodal Officer (FRA) |
| 4. Sh. Vinay Kumar Negi | Member TAC/SLMC |
| 5. Sh. Rajender Bodh | Member TAC/SLMC |
| 6. Sh. Naresh Thakur | Jt. Secretary (TD) |
| 7. Sh. Gian S. Negi | Jt. Secretary (RDD) |

The following items were discussed in the meeting and decisions taken are shown below against each item:

1. Action taken on the proceeding of meeting held under the Chairpersonship of Ms. Leena Nair, Secretary (TA), GoI on 11.05.2018 during her visit to Himachal Pradesh.

It was apprised that Secretary (Panchayati Raj) has taken up the matter regarding relaxation of Gram Sabha Quorum with Ministry of Tribal Affairs, GoI and report awaited.

Regarding issue of reconsideration of procedural requirements for forest clearance under FCA 1980 w.r.t. FRA, 2006; it was decided that that Forest Department will inform about latest status about taking up the matter with Ministry of Tribal Affairs, GoI.

2. Review of progress made under the Act.

It was informed that 17503 Forest Rights Committees (FRCs), 80 Sub-divisional Level Committees (SDLCs) & 19 Distt. Level Committees(DLCs) have been formed in the State and 7 (ST) Community titles and 129 (53 OTFD & 76 ST) Individual titles over land measuring 1890.11 Hectare and 2.4129 Hectare respectively have been recognized and vested out of total 173 Community Claims & 2146 Individual Claims received in the State. Rest of the claims are pending at different committees' level. Non-Official members also raised issue of pendency of claims and urged to decide them on priority.

After detailed discussion, it was decided that Deputy Commissioners being chairperson of District Level Committee; which is final authority under the Act to recognize and vest the forest rights; may take immediate appropriate action regarding the pending claims in a time bound manner as per the provisions of Act & Rules. Further Revenue, Forest and Panchayati Raj departments will issue necessary directions to their field officers, as they are members of DLC/ SDLC notified under

the Act, for affirmative action in recognition & vesting of forest rights as per provisions of Act & Rules.

3. Steps taken to speed up the implementation of the Act.

Noted.

4. Representation received from Himachal Van Adhikar Manch regarding implementation of Section 3(1) of the Forest Rights Act, 2006 in the State and from non-official members of Distt. Level Committee, District Mandi

In the representations, it is stated that Section 3(2) of the Act is being implemented effectively in the State in pursuance of ACS (Forests) letter dated 17.02.2016 by respective DFOs but claims under Section 3(1) are still pending in absence of appropriate directions to field officers from Secretaries of respective departments i.e. Revenue & Forest Deptt. Moreover, ACS (Forests) vide letter dated 19.06.2014 has circulated certain templates for FRC, SDLC and DLC to issue FRA certificates in FCA proposals, causing confusion among stakeholders.

After deliberations, it was decided that Revenue & Forest Departments will issue directions to field officers to take necessary action for recognizing & vesting of rights under Section 3(1) as per provisions of Act & Rules and Forest Department may re-examine the issue w.r.t their letter dated 19.06.2014 for facilitating recognition & vesting of rights as per provision of Act & Rules.

5. Petition received from Gram Sabha Lippa District Kinnaur under Section – 8 of Forest Rights Act, 2006 regarding the decision of three official members of DLC, Kinnaur on the claims received under the Act.

It was apprised that Deputy Commissioner, Kinnaur and two other official members of District Level Committee have already been requested to clarify the position in the matter within 15 days.

6. Training under Forest Rights Act, 2006.

Non-Official Members emphasized to conduct the training programmes for the officials of concerned departments as well as other stakeholders including non-official members of SDLC/ DLC. It was apprised that training programmes were conducted in year 2015 & 2016 for Trainers for Trainees(ToTs) in association with UNDP. Thereafter, funds were provided to Deputy Commissioners for effective implementation of Act including training by involving these ToTs. Since training and capacity building is regular process for implementation of the Act, therefore, it was decided to immediately chalk out the new training schedule for different levels.

It was apprised that UNDP has recently submitted a proposal amounting to ₹ 26,78,400/- to impart training programmes at State/ Distt. Level including training/IEC materials. After discussions, the Committee approved the proposal and decided to conduct training programmes on priority in collaboration with District

Administration and necessary funds for such training programmes will be provided by Tribal Dev. Deptt. While discussing the training programmes at Gram Sabha level, the Secretary (PR) stated that Panchayati Raj Department will organize training/awareness programmes at Gram Sabha Level, provided training modules/IEC material be made available to the department. The Committee has given assent to his proposal and agreed to provide UNDP designed training/IEC materials to Panchayati Raj Deptt.

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

Approved by
Chief Secretary to the
Govt. of Himachal Pradesh