

No. TBD.F (TDM) 1-1/2020  
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 (Forest) to the  
Government of Himachal Pradesh, Shimla-2.
5. The Principal Secretary (Revenue) 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 28<sup>th</sup> February 2020.

**Subject: - Proceedings of the meeting of State Level Monitoring Committee held on 15.02.2020 at 11:30 AM 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 15<sup>th</sup> February 2020 at 11.30 AM 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 Special Secretary (TD) to the Government of HP for information please.
2. The All Deputy Commissioners, Himachal Pradesh for information & necessary action.
3. Under Secretary to the Government of India, Ministry of Tribal Affairs, (FRA Division), Jeevan Tara Building, Parliament Street, Patel Chowk, New Delhi for information.

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

**Minutes of the 15<sup>th</sup> meeting of State Level Monitoring Committee constituted under Scheduled Tribes and Other Traditional Forest Dwellers (Recognitions of Forest Rights) Act, 2006 held under the Chairmanship of Sh. Anil Kumar Khachi, Chief Secretary, to the Govt. of Himachal Pradesh on 15.02.2020 at 11:30 A.M. in his office chamber.**

The following were present in the meeting:

- |                     |                                  |
|---------------------|----------------------------------|
| 1. Sh. Onkar Sharma | Commr.-cum-Pr. Secy. (TD/ Rev.)  |
| 2. Sh. Ajay Kumar   | Pr. CCF (HoFF)                   |
| 3. Sh. C.P. Verma   | Addl. Commr.-cum-Spl. Secy. (TD) |
| 4. Sh. Lalit Jain   | Special Secretary (PR)           |
| 5. Sh. Rakesh Mehta | Joint Secretary (Rev.)           |
| 6. Sh. Kewal Sharma | Addl. Director (Panchayati Raj)  |

At the outset of the meeting Commr.-cum-Pr. Secy. (TD) welcomed all the participants. Thereafter, following items were discussed in the meeting and decisions taken are shown below against each item:

**1. Action taken on the decisions taken in SLMC meeting held on 03.06.2019:**

The Committee noted the compliance of action taken on decisions of previous meeting and expressed satisfaction.

PCCF further informed that DCs have been clarified that once the forest rights recognized & vested in particular areas after following due process in Act/ Rules, no separate meetings of FRCs, SDLCs & DLCs required while giving FRA Certificate for every project regarding FCA clearance provided that the settlement of all forest rights of the concerned village over the entire forest area of which the land proposed for diversion forms a part, already stand discussed and settled in the previous meetings of FRC/ GRAM Sabha, SDLC and DLC.

**2. Review of progress made under the Act:**

**(i) Individual & Community rights under Section 3(1) of the Act:**

While discussions over the progress under the Act, it was observed that claims received & approved thereof are not in large numbers in comparison to the claims received/ approved in other States. It might be possible that forest rights are already recorded in earlier revenue/ forest settlement reports.

Pr. Secy. (TD) apprised that this position was also explained during visit of Secy., MoTA to Shimla in previous years (Ms. Leena Nair on 21.05.2018 and Sh. Deepak Khandekar on 21.11.2018) but they were of view that forest & revenue settlement are old and there are possibilities that there may be forest rights that have not been recorded. After detailed discussion, following decisions were taken:

**Decision Taken:**

- A presentation before the Council of Ministers after the coming Vidhan Sabha session w.r.t. the implementation of the Forest Rights Act, 2006.
- DO letters from Chief Secretary, HP be issued to all DCs for implementation of Act.

**(ii) Progress made under Section 3(2) of the Act:**

While reviewing progress made under Section 3(2) of FRA, 2006, PCCF intimated that 1628 claims have been approved till 10.03.2019 and thereafter ban has been imposed on Section 3(2) of FRA by the Hon'ble Supreme Court of India. However, Hon'ble Supreme Court has granted approval for 89 cases on 03.05.2019, which were pending with the DFOs and added that presently 289 more cases are pending with DFOs for diversion of forest land.

During discussions over a study report received on implications of the Supreme Court Orders on Section 3(2) of the FRA, 2006 for Himachal Pradesh "MISSING THE FOREST FOR TREES" conducted by "HIMDHARA" mentioning the fact that out of total activities, 64% activities were carried out without felling of trees and average tree felling is 19.52 trees per hectare barring activities like roads. PCCF intimated that an affidavit was recently filed in December 2019 in Hon'ble Supreme Court quoting all facts after analysing the whole data w.r.t. activities approved under Section 3(2).

**After detailed discussion following decision was taken:**

PCCF may again intimate these facts in future affidavit to Hon'ble Supreme Court of India.

**3. Training programme under Forest Rights Act:**

Noted.

**4. Petition received from Chairperson, BDC Nichar, District Kinnaur under Section 8 of Forest Rights Act, 2006 regarding 47 rejected individual claims of Lippa village:**

Commr.-cum-Pr. Secy. (TD) apprised that similar matter was received through Gram Sabha Lippa and is already decided in previous SLMC meeting held on 03.06.2019. Moreover, this petition has been received from Chairperson BDC Nichar without resolution of Gram Sabha concerned as per provisions under Section 8 of FRA, 2006.

**Decision taken:**

No action required.

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

Approved by  
Chief Secretary to the  
Govt. of Himachal Pradesh.