

अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
जनजाति कल्याण निदेशालय
DIRECTORATE OF TRIBAL WELFARE

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① This is a letter No. 23011/33/2010-FRA dated 8th Nov., 2013 of the Joint Secretary, MoTA addressed to the Chief Secretaries of all State Govts and Administrators of UTs issuing clarifications for conversion of all forest villages, old habitations, unsurveyed villages and other villages in forests whether recorded, notified or not into revenue villages under Section 3(1)(h) of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006 for the purpose of conferring title dead on the Scheduled Tribes and other Forest Dwellers. Some of the important clarifications are reproduced below in brief:

(1) Section 4(1) of the Forest Rights Act, 2006 (FRA 2006), which recognizes and vests forest rights in the forest dwelling Scheduled Tribes in areas in states where they are declared as Scheduled Tribes lays down that the forests rights under section 3(1) of the Act including the right under section 3(1)(h) are recognized and vested in the forest dwelling Scheduled Tribes notwithstanding anything contained in any other law for the time being in force.

③ The recognition and vesting of all forest rights including settlement and conversion of forest villages and other such villages into revenue villages under section 3(1)(h) has been exempted from the requirement of Section 2 of the Forest Conservation Act, 1980.

② The Ministry of Environment and Forests approval is not required under Section 2 of Forest Conservation Act, 1980 for conversion of forest villages and other such villages into revenue villages.

(2) The District Level Committee is the final authority for approving records of forest rights specified in Section 3(1) of the Act including the right relating to conversion of forest villages and other such village into revenue villages under section 3(1)(h) of the Act.